

**DECLARATION**

State of Ohio  
County of Hamilton

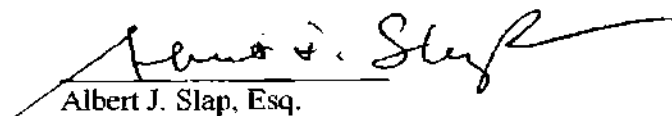
SS:

I, Albert J. Slap, Esq., being duly sworn, deposes and says:

1. I am an attorney licensed in Ohio, Pennsylvania and New Jersey.
2. I have participated in the consolidated cases United States of America, et al. and Sierra Club, Intervenor v. The Board of Commissioners of Hamilton County, et al., 1-02-107, from their inception as co-lead counsel.
3. I have attached to this Declaration a true and correct copy of my Curriculum Vitae (Attachment A).
4. Also, I have prepared and submitted to the Court in support of my petition for attorneys' fees and costs a print-out of the hours and costs that I have expended on these consolidated cases (see Attachment B).
5. The print-out is from the TimeSlips™ time and billing software that I use in my law practice.
6. I certify that the time and costs entered in the TimeSlips™ time and billing software represents contemporaneous and accurate entries of the time and costs spent in this case.
7. I certify that the print-out from the time and billing software is an accurate compilation of the individual time slips that were entered during the activities on the case from 8/10/2001 to 6/15/2004.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9<sup>th</sup> day of August, 2004.

  
Albert J. Slap, Esq.

# **ATTACHMENT A**

**Albert J. Slap, Esquire**

20 Erie Ave.

Glendale, OH 45246

513-771-7800

513-772-6506 (fax)

albertslap@slapl原因.com

www.slaplaw.com



**Education**

B.A., University of Pennsylvania (1971)

J.D., Villanova University School of Law (1974)

**Biographical sketch**

Mr. Slap is an environmental attorney in private practice. Slap represents citizen groups, individuals, governmental agencies, developers, and manufacturers, transporters and other regulated industries. Over the years, Mr. Slap has handled major environmental, Superfund, toxic tort and land use cases as lead counsel. In addition to his private law practice, Slap is currently an Adjunct Professor of Law at the University of Cincinnati College of Law, where he teaches Advanced Problems in Environmental Law and Pretrial Litigation. In January 2004, he was appointed Village Solicitor for the Village of Glendale, Ohio, where he resides.

Slap received a Bachelor of Arts degree from the University of Pennsylvania and a Juris Doctor from the Villanova Law School. Mr. Slap has developed a high level of expertise in environmental laws and regulations within both the government and private sectors. From 1980-1984, he served as Deputy City Solicitor for Environmental Affairs for the City of Philadelphia. In 1995, he co-founded GeoSphere Systems, Inc., a software development and consulting firm specializing in chemical plant emergency response and process safety.

In addition to numerous journal and magazine articles, Mr. Slap has authored two book chapters, "Citizen Suits in Pennsylvania" (Pennsylvania Environmental Law and Practice, Pennsylvania Bar Institute, 1999 Supp.) and "The Legal Aspects of Indoor Air and Health" (Hanley and Belfus, 1995). "Pennsylvania Environmental Law and Practice" won the Association for Continuing Legal Education's Best of 1999 Award for Outstanding Achievement in Publications. Some of his other publications include:

"Generator Liability for Hazardous Wastes," 5 ALI/ABA Course Materials Journal, 95-106 (April, 1981); "Fallout from Three Mile Island: Direct Access to District Court," The National Law Journal, June 22, 1981, pp.28-29; Book Review, "NEPA Law and Litigation," Trial, September, 1985; "Punitive Damages in Toxic Torts," The Barrister, Spring, 1989; "The 'Chateaugay' Decision: Collision of Bankruptcy and Environmental Law," Toxic Law Reporter, Vol. 5, Nov. 4 (June, 1990); "Just Compensation for Wetlands Condemnation," Tri-State Real Estate Journal, May, 1991; "Are Forensic Experts and Endangered Species," Journal of Forensic Sciences, May, 1991; "Citizen Suits and Attorneys Fees in Pennsylvania," Pennsylvania

Environmental Law and Practice, Pennsylvania Bar Institute, 1994 (1999, Supp.); “The Legal Aspects of Indoor Air and Health,” Effects of the Indoor Environment on Health, Hanley and Belfus (1995); “Will States Go Scot-Free Under Florida Seminole Ruling?” Pennsylvania Law Weekly, April 22, 1996, p. 11; “Expert Systems in Emergency Response,” Process Safety Symposium, Texas A&M University, 1999; “Use of Computerized Systems for Crisis Management and Incident Command,” BASF International Fire Chiefs’ Conference, Ludwigshafen, Germany, 1998; and, “Clean Water Act Citizen Suits Involving Urban Wet Weather Public Sewer Violations”, ALI-ABA Clean Water Conference, November 6-7, 2003. He is also one of the Conference Planners for the Ohio State Bar Association’s Annual Environmental Law Symposium, April 29 to May 1, 2004.

Mr. Slap is licensed to practice law in Ohio, Pennsylvania, and New Jersey and is admitted to the Bars of the Supreme Court of the United States, the United States Courts of Appeal for the Third and Fifth Circuits, the United States District Courts for the Eastern and Middle Districts of Pennsylvania, the District of New Jersey and the Southern District of Ohio. In 1993, the First Judicial District of Pennsylvania awarded Mr. Slap a Settlement Master's Certificate. Mr. Slap is AV-rated by Martindale-Hubbell and is listed in the 1999 Bar Register of Preeminent Lawyers.

### **Community Activities**

Advisory Board, Children’s Environmental Health Research Center, Cincinnati, Ohio  
 Board Member, Ohio River Way  
 Board Member, Ohio River Basin Consortium for Research and Education  
 Board Member, Ohio River Foundation  
 President, Glendale Elementary School PTA (2003-2004)  
 Chapter Trustee, The Nature Conservancy, Pennsylvania (1986-1994)

### **Professional memberships**

Pennsylvania Bar- 1974  
 New Jersey Bar- 1985  
 Ohio Bar- 2002  
 Supreme Court of the United States- 1980  
 Cincinnati Bar Association – 2001 to present

### **Hobbies/Interests**

downhill skiing  
 hiking, backpacking  
 canoeing and kayaking

# **ATTACHMENT B**

8/3/2004  
8:55 PMAlbert J. Slap, Esq.  
Pre-bill Worksheet

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## Selection Criteria

Timekeeper (hand s Include: AJS  
Client (hand select) Include: SSO700

Nickname SSO700 | 23  
 Full Name Marilyn Wall  
 Address ECO  
 Wyoming OH  
 Phone 1  
 Phone 3 Phone 2  
 Phone 4  
 In Ref To  
 Fees Arg By billing value on each slip  
 Expense Arg. By billing value on each slip  
 Tax Profile Exempt  
 Last bill  
 Last charge 6/21/2004  
 Last payment Amount \$0.00

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
<u>Timekeeper: Albert J. Slap</u>					
8/10/2001	AJS 806 Research Research - Westlaw; review file provided by Marilyn Wall and e-mail to Marilyn	300.00	2.00	600.00	Billable
8/20/2001	AJS 810 Research Research; legal res. - Westlaw; prepare for notice letter; prepare draft notice letter; research on standing; res. on continuing violations; prepare draft litigation budget; e-mail to client	300.00	4.00	1,200.00	Billable
8/21/2001	AJS 812 Legal Research Legal Research; Westlaw - review cases on Citizen Suits, standing issues, etc. e-mails to client; t/c w/ clients; t/c w/ research asst.; begin to prepare notice letter and complaint	300.00	5.50	1,650.00	Billable
8/27/2001	AJS 824 Meeting Meeting with clients	300.00	2.00	600.00	Billable
8/28/2001	AJS 816 Research Research; legal research on Clean Water Act; infiltration/inflow	300.00	1.50	450.00	Billable

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SSO700-Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
9/13/2001	AJS 825 Meeting Meeting w/ client	300.00	1.50	450.00	Billable
9/21/2001	AJS 831 Meeting Meeting w/ Trish Brechlin in Dayton for paralegal asst., review documents; t/c w/ Dave Baron re: notice issues	300.00	2.50	750.00	Billable
10/3/2001	AJS 839 Research review documents from OEPA	300.00	2.00	600.00	Billable
10/8/2001	AJS 844 Review Review documents from OEPA	300.00	3.00	900.00	Billable
10/9/2001	AJS 846 Review Review documents - OEPA	300.00	2.00	600.00	Billable
10/10/2001	AJS 850 Review Review OEPA documents; prepare violations matrix; memo to clients	300.00	4.00	1,200.00	Billable
10/11/2001	AJS 852 Review Review and compose e-mail w/clients	300.00	1.00	300.00	Billable
10/12/2001	AJS 854 Review Review OEPA documents; e-mail to clients; legal research (Westlaw) - SSO/CSO permit issues	300.00	3.50	1,050.00	Billable
10/16/2001	AJS 859 Legal Research Legal Research - Westlaw and Lexis - Law Reviews, Texts and Journals - CWA citizen suits	300.00	2.50	750.00	Billable
10/17/2001	AJS 860 telecon t/c w. John Childe, Esq. re: Alcosan case - standing issues, res. proposed EPA SSO rule	300.00	3.30	990.00	Billable
10/22/2001	AJS 864 Meeting Meeting w/client in Clifton; prepare memo to clients; e-mail; revise 60-day notice letter	300.00	4.00	1,200.00	Billable



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
11/5/2001	AJS 880 Preparation Preparation of memo to client - legal research on notice issues; e-mail to clients	300.00	2.50	750.00	Billable
11/6/2001	AJS 882 Preparation Preparation memo to client strategy issues; e-mail	300.00	1.50	450.00	Billable
11/7/2001	AJS 883 Research Research - legal research on standing issues (FOE v. Laidlaw), etc.	300.00	1.50	450.00	Billable
11/8/2001	AJS 884 Research Research - on civil penalty issues; e-mail from clients; research on standing.	300.00	4.10	1,230.00	Billable
11/9/2001	AJS 886 Research Research - standing issue- 6th Cir.; diligent prosecution cases; e-mail to clients- standing affidavits;	300.00	3.50	1,050.00	Billable
11/13/2001	AJS 887 Research Research - legal research re: SSOs and standing; search for expert witnesses - review e-mail from clients; e-mail to clients	300.00	3.10	930.00	Billable
11/14/2001	AJS 891 Research Research on federal SSO reg.; e-mail from clients	300.00	2.50	750.00	Billable
11/16/2001	AJS 897 Research Research - legal res. EPA SSO reg; citizen suit cases	300.00	2.00	600.00	Billable
11/27/2001	AJS 901 Research Research - on experts; e-mail to and from clients; t/c w/ N Stoner at NRDC re: experts; e-mail to clients; legal research on Daubert standard; Joiner, Kumho	300.00	4.10	1,230.00	Billable
11/28/2001	AJS 908 telecon t/c w/ client, e-mail; revise Notice letter	300.00	1.70	510.00	Billable
11/29/2001	AJS 907 telecon t/c w/ potential experts- review CVs on-line, etc.; review draft EPA	300.00	4.20	1,260.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	regulation; t/c w/san. engineer; t/c w/ economist; t/c w/ water quality expert; t/c w/ client (SFO)				
11/30/2001	AJS 909 Preparation Preparation; status memo to client; e-mail, review EPA regs; t/c w/D. Bookbinder, ACA; t/c w/ Dave Altman re: assistance, strategy; e-mail to clients	300.00	6.10	1,830.00	Billable
12/3/2001	AJS 915 Prep Pleadings Preparation of pleadings - Complaint; t/c to client; e-mail to clients; t/c w/ experts	300.00	2.30	690.00	Billable
12/4/2001	AJS 913 telecon t/c w/ expert; e-mail to clients; Daubert-engineering testimony issue-Kumho	300.00	2.00	600.00	Billable
12/5/2001	AJS 918 telecon t/c w/ clients re:case strategy; e-mails; fee agreement	300.00	2.40	720.00	Billable
12/6/2001	AJS 919 telecon t/c w/ client; t/c w/ D.Altman re: working together on case; review file and prepare info for expert; revise representation agreement	300.00	1.70	510.00	Billable
12/7/2001	AJS 922 Preparation Preparation - list of questions re: remedies; copying, meeting with Dave Altman; meeting with Trish Brechlin (paralegal)	300.00	4.50	1,350.00	Billable
12/10/2001	AJS 923 Review Review retainer agreement with expert- go over list of documents needed; e-mail to paralegal; Notice letter revision, prepare RFP documents; begin drafting complaint; evening meeting with clients	300.00	6.50	1,950.00	Billable
12/11/2001	AJS 926 telecon t/c w. Dr. Bell; e-mail to clients; Preparation draft discovery requests;	300.00	1.50	450.00	Billable
12/12/2001	AJS 927 Conference Conference with co-counsel; preparation of memo to client; t/c with economist expert	300.00	3.50	1,050.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/14/2001	AJS 933 Research Research - on discovery issues; prepare memo to clients on discovery needed; legal research sewer ban issues/remedy; prepare RFPs;	300.00	5.10	1,530.00	Billable
12/17/2001	AJS 936 Preparation Preparation - memo to clients re: SSO 700 - civil penalties issue - BEN Model research - legal research on institutional controls issue; e-mail to clients re: Notice Letter; t/c w/ counsel	300.00	5.30	1,590.00	Billable
12/18/2001	AJS 941 telecon t/c w/ clientsx3; final review of notice letter; t/c w/ co-counsel; field trip to SSO 700 (photos); revise public doc request, t/c w/paralegal; e-mail	300.00	4.80	1,440.00	Billable
12/19/2001	AJS 944 Meeting Meeting w/ client re: photos; prepare RFP; research on remedy issues; t/c w/client; e-mail; injunctive relief issues; search for experts and review peer reviewed literature on SSO issues	300.00	4.50	1,350.00	Billable
12/20/2001	AJS 947 Conference Conference with client; attend press conf. - meeting w/client; e-mail; e-mail to expert; t/c w/ Dave Altman	300.00	3.50	1,050.00	Billable
12/21/2001	AJS 952 telecon t/c to Leslie Allen, Esq.; prepare draft settlement terms for client;	300.00	1.50	450.00	Billable
12/26/2001	AJS 955 telecon t/c w/ expert (remedy); prepare draft complaint; e-mail to clients	300.00	2.50	750.00	Billable
12/31/2001	AJS 956 telecon t/c w/ Leslie Allen, Esq. DOJ; t/c w/ Marilyn Wall/Dave Altman report on conv. w/ Leslie	300.00	1.20	360.00	Billable
1/2/2002	AJS 957 Preparation Preparation - memo to clients, t/c w/ Glenn Brand re: strategy; review PA infiltration report - fax to Glenn re: remedies	300.00	2.50	750.00	Billable
1/8/2002	AJS 966 telecon t/c w/ clients; review file; e-mail to clients; document production issues;	300.00	2.40	720.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
1/9/2002	AJS 967 telecon t/c w/ clients; e-mail; expert on admin. controls - CMOM (SSO reg); sewer ban issues; remedies; t/c to Dave Altman, t/c w/ Marilyn Wall; review other federal consent decrees - Westlaw, Lexis	300.00	4.10	1,230.00	Billable
1/10/2002	AJS 969 Prep Pleadings Preparation of pleadings; e-mail to clients re: admin. controls/ban - sewer planning issue; finding expert on remedies; meeting with Dave Altman; legal research re: sewer moratoria - Consent Decrees; t/c w/ Leslie Allenx2; research on Internet re: SSO's review NE-MW Inst. Rep.	300.00	5.40	1,620.00	Billable
1/11/2002	AJS 972 Preparation Preparation for meeting with EPA and DOJ; research on SSO tools; legal research on expert witness in remedy area; Daubert issues- e-mail to clients and expert; prepare presentation materials for meeting with EPA	300.00	5.20	1,560.00	Billable
1/13/2002	AJS 973 Review Review MSD CIP list; meet with Dorie Comer re. paralegal work	300.00	1.10	330.00	Billable
1/14/2002	AJS 974 Review Review e-mails; t/c w/EarthJustice re: strategies; review Miami-Dade and New Orleans Consent Decrees; find experts on remedies	300.00	2.50	750.00	Billable
1/15/2002	AJS 975 Preparation revise Violation Matrix; revise presentation to EPA; e-mail to clients,	300.00	2.50	750.00	Billable
1/16/2002	AJS 981 telecon t/c w/ paralegal re: MSD document request; e-mail to Leslie Allen, Esq. DOJ; meeting with Dave Altman	300.00	1.30	390.00	Billable
1/17/2002	AJS 983 Meeting Meeting w/ client; t/c w/ Sierra Club; research for experts; legal res. on sewer ban	300.00	5.10	1,530.00	Billable
1/18/2002	AJS 986 Review Review - MSD's Capital Improvement Plan ; t/c w/ clients; review the Miami and New Orleans Consent Decrees; prepare for meeting with EPA;	300.00	4.60	1,380.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
1/19/2002	AJS 989 telecon t/c w/ paralegal about document production on 1/18.	300.00	1.00	300.00	Billable
1/21/2002	AJS 992 telecon t/c to client; e-mail to expert	300.00	0.70	210.00	Billable
1/22/2002	AJS 994 Research Research on experts; e-mail to expert; document production	300.00	0.50	150.00	Billable
1/24/2002	AJS 1000 telecon t/c w/ expert; t/c w/ client; review MSD documents; e-mail to Gary Pritchard, EPA; prepare for meeting in Chicago with EPA; research cases on discovery from EPA witness by subpoena	300.00	4.50	1,350.00	Billable
1/25/2002	AJS 1007 Correspondence e-mail to and from expert; prepare for meeting with EPA; e-mail to EPA/DOJ; meeting w/client	300.00	3.00	900.00	Billable
1/26/2002	AJS 1008 Meeting Meeting w/ clients re: strategy	300.00	4.00	1,200.00	Billable
1/28/2002	AJS 1011 Review meet with Andy Betts, Sierra Club, Review documents from MSD; e-mail to Gary Pritchard -EPA; prepare for meeting with EPA; review SSO reports	300.00	4.10	1,230.00	Billable
1/29/2002	AJS 1014 telecon t/c w/ Leslie Allen; e-mail to clients; t/c w/ co-counsel; prepare for meeting in Chicago	300.00	3.10	930.00	Billable
1/30/2002	AJS 1016 Preparation Preparation for meeting in Chicago w/EPA, legal research on intervention issue; civil penalties	300.00	2.50	750.00	Billable
1/31/2002	AJS 1017 Meeting Meeting with co-counsel and clients re: Conference call with EPA and DOJ	300.00	4.00	1,200.00	Billable
2/1/2002	AJS 1018 telecon t/c w/ expert; conference call with DOJ and EPA; conf. call w/clients;	300.00	8.00	2,400.00	Billable

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SSO700.Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	meeting with paralegal; file maintenance, review MSD reports, e-mails to Leslie Allen, Esq.				
2/4/2002 1021	AJS Meeting Meeting - w/co-counsel and clients; Prepare draft complaint; e-mail to clients; legal research on EPA CSO guidance	300.00	6.12	1,836.00	Billable
2/5/2002 1022	AJS Research Research - legal res. on EPA guidance; revise draft complaint; t/c w/ expert; e-mail t/c w/ client; t/c w/ co-counsel and prepare for conf. call with DOJ and EPA	300.00	7.30	2,190.00	Billable
2/6/2002 1024	AJS Preparation Preparation for conf. call w/ DOJ and EPA; review OEPA documents; revise draft complaint; legal research	300.00	6.50	1,950.00	Billable
2/7/2002 1026	AJS Research Research - legal research on Anti-degradation issue (CSO); review OEPA documents; t/c w/NRDC re: new EPA SSO guidance; t/c w/ Leslie Allen, Esq.; t/c w/ Peter Murphy, Esq.; t/c w/co-counsel and clients; prepare status memo to client	300.00	5.30	1,590.00	Billable
2/8/2002 1030	AJS telecon t/c w/co-counsel; paralegal; revise complaint- e-mails	300.00	1.80	540.00	Billable
2/11/2002 1031	AJS Meeting Meeting w/ co-counsel, go over the consent decree and appendices, meeting w/client re: civil penalties, e-mail	300.00	6.24	1,872.00	Billable
2/12/2002 1033	AJS Meeting Meeting w/ client; meeting with co-counsel; t/c w/ Peter Murphy, Esq.; t/c w/ Leslie Allen; review data set on SSO violations from 1997-2001	300.00	8.00	2,400.00	Billable
2/13/2002 1032	AJS Research Research - review Consent Decree and prepare memo for clients	300.00	2.00	600.00	Billable
2/14/2002 1037	AJS Meeting Meeting - w/co-counsel; attend Hamilton County Commissioner's meeting; meeting w/ co-counsel; meeting with SIB victims in Montgomery	300.00	6.30	1,890.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
2/15/2002	AJS 1038 Misc. memo to clients re: status; e-mail to clients	300.00	2.00	600.00	Billable
2/16/2002	AJS 1045 Prep Pleadings Preparation of pleadings - Pro Hac Vice motion; t/c w/ co-counsel; legal research;	300.00	5.80	1,740.00	Billable
2/17/2002	AJS 1046 Prep Pleadings Preparation of pleadings - amendments to draft complaint - e-mail to co-counsel; prepare discovery plan, legal research on diligent prosecution	300.00	5.50	1,650.00	Billable
2/18/2002	AJS 1050 Research Research - legal research on diligent prosecution issue - t/c w/ co-counsel; review draft complaint	300.00	4.20	1,260.00	Billable
2/19/2002	AJS 1053 Review Review final draft complaint w/ co-counsel; review complaint w/expert; e-mail to Leslie Allen, Esq.; legal research; revise final draft complaint; letter to client;	300.00	7.50	2,250.00	Billable
2/20/2002	AJS 1056 Review Review draft complaint; e-mail to clients	300.00	2.50	750.00	Billable
2/21/2002	AJS 1060 Review Review comments from clients re: draft complaint; revisions to draft complaint; t/c w/ co-counsel; t/c w/ client; review exhibits to the Interim Consent Decree	300.00	5.80	1,740.00	Billable
2/22/2002	AJS 1063 Meeting Meeting w/counsel re: Sycamore plant SSO/overflow issues; t/c w/ co-counsel re: draft complaint; t/c w/ paralegal re: Sycamore plant issues; t/c w/ fact witness;	300.00	2.50	750.00	Billable
2/23/2002	AJS 1047 Legal Research Legal Research - case management and discovery issues; review draft complaint from co-counsel	300.00	3.50	1,050.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
2/24/2002	AJS 1065 Research Research - penalty cases; SEP policy	300.00	2.00	600.00	Billable
2/25/2002	AJS 1066 Meeting Meeting w/ co-counsel, discuss complaint, discovery, experts; t/c w/ clients, e-mail to expert; legal research on civil penalties; e-mail to co-counsel	300.00	6.50	1,950.00	Billable
2/26/2002	AJS 1067 Research Research - civil penalty issues; prepare for filing complaint; t/c w/ client; t/c w/ co-counsel; review OEPA Mill Creek and Little Miami Biological Studies; e-mail to client and expert	300.00	3.50	1,050.00	Billable
2/27/2002	AJS 1072 Meeting Meeting w/ co-counsel; last rev. to Complaint; filing issues; meeting w/ fact witnesses; e-mail to Leslie Allen	300.00	4.00	1,200.00	Billable
2/28/2002	AJS 1075 Conference conf. w/ co-counsel; e-mail; pro hac petition	300.00	3.50	1,050.00	Billable
3/1/2002	AJS 1078 Research Research - legal research on status of sewage in basements	300.00	2.50	750.00	Billable
3/2/2002	AJS 1085 Misc. copy CD for expert; letter to expert re: sewage overflows and sewage in basements	300.00	0.50	150.00	Billable
3/4/2002	AJS 1087 Preparation Preparation of interogs and RFP; t/c w/ client req. update; review EPA website- for SSO case studies and success stories (Oklahoma)	300.00	2.00	600.00	Billable
3/5/2002	AJS 1089 Preparation Preparation of Interrogatories and Requests for Production of Documents;	300.00	1.50	450.00	Billable
3/6/2002	AJS 1095 telecon t/c w/ Client; review e-mails; re; meeting w/MSD; prepare interogs and request for production of documents	300.00	3.50	1,050.00	Billable



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8:55 PMAlbert J. Slap, Esq.  
Pre-bill Worksheet

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/7/2002 1099	AJS telecon t/c w/ client; prepare lengthy interrogos to MSD; e-mail; review New Albany Indiana Consent Decree; Youngstown CD	300.00	7.90	2,370.00	Billable
3/8/2002 1102	AJS Review Review New Albany CD; t/c to co-counsel re: Interrogos, revise interrogos	300.00	3.50	1,050.00	Billable
3/9/2002 1103	AJS Research Research- legal research on "Diligent Prosecution" defense	300.00	2.00	600.00	Billable
3/10/2002 1104	AJS Legal Research Legal Research - Diligent Prosecution - prepare memo of law	300.00	4.00	1,200.00	Billable
3/11/2002 1105	AJS Meeting Meeting w/ co-counsel; t/c w/ Leslie Allen, Esq. DOJx2; t/c w/ Peggy Malone, Esq. Ohio AG; Review report of Water Working Group of Hamilton County Environmental Priorities Project (100+pp)	300.00	4.80	1,440.00	Billable
3/12/2002 1111	AJS telecon t/c w/ co-counsel re: OEPA complaint; review letter from Peter Murphy, Esq.	300.00	0.50	150.00	Billable
3/13/2002 1112	AJS Research Research - legal research Whatley case re: Peter Murphy's letter; service of process issue; e-mail to co-counsel; lengthy t/c w/ expert re: prepare for settlement discussions - strategy memo to clients	300.00	4.30	1,290.00	Billable
3/14/2002 1117	AJS Review Review New Albany Consent Decree; t/c w/ Aaron Isherwood, Esq. Sierra Club HQ re. Diligent Prosecution; t/c to Peter Murphy; t/c w/ Amy Leonard (law clerk) re: interrogatories	300.00	2.10	630.00	Billable
3/15/2002 1120	AJS telecon Conf. call w/ clients re: status; t/c w/ co-counsel;	300.00	2.00	600.00	Billable
3/18/2002 1125	AJS Misc. t/c w/ co-counsel; t/c w/ clients; review 1993 and 1996 SSO reports from MSD	300.00	1.50	450.00	Billable

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8:55 PMAlbert J. Slap, Esq.  
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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/19/2002 1127	AJS Misc. e-mail to clients; review 1993 MSD SSO Report	300.00	2.00	600.00	Billable
3/20/2002 1133	AJS telecon t/c w/ expert re: report; meeting with co-counsel re: settlement talks; Review 1993 SSO General Compliance Report and MSD Biol and WQ Study of Mill Creek;	300.00	4.40	1,320.00	Billable
3/21/2002 1135	AJS Review Review e-mail from expert re: success stories on SSOs;	300.00	0.30	90.00	Billable
3/25/2002 1144	AJS Meeting Meeting w/ co-counsels re: discovery conference; e-mail to expert; legal research on SSO/CSO consent decrees and opinions	300.00	6.10	1,830.00	Billable
3/26/2002 1150	AJS Research Research - legal res. on SSO related issues; e-mails; t/c w/ client; t/c w/ co-counselx2; t/c w/ Leslie Allen, DOJx2; e-mail to Peter Murphy, Esq.;	300.00	3.06	918.00	Billable
3/27/2002 1156	AJS telecon t/c w/ clientx2; legal research on Consolidation; prepare Motion to Consolidate; e-mails to Leslie Allen, DOJ; review MSD Water Quality Studies;	300.00	6.50	1,950.00	Billable
3/28/2002 1163	AJS telecon t/c w/ co-counsel; t/c w/ client; t/c w/ Gary Prichard, EPA; t/c w/ expert	300.00	3.00	900.00	Billable
4/1/2002 1173	AJS Review Review 1999 MSD Study of Little Miami and Tribs Water Quality; e-mail to co-counsel; expert	300.00	2.00	600.00	Billable
4/2/2002 1170	AJS telecon t/c w/Gary Prichard, Esq.; e-mail from Gary; e-mail to co-counsel and clients	300.00	0.50	150.00	Billable
4/3/2002 1176	AJS Misc. Memo to co-counsel; e-mail re: meeting w/ EPA on April 10th	300.00	0.50	150.00	Billable

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SSO700: Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
4/4/2002	AJS 1181 Review Review MSD Motion to Dismiss	300.00	2.00	600.00	Billable
4/5/2002	AJS 1185 telecon t/c w/ co-counsel and t/c w/ Counsel for County - Ray L.	300.00	1.50	450.00	Billable
4/6/2002	AJS 1184 Prep Pleadings Preparation of pleadings - Response to Motion to Dismiss	300.00	2.50	750.00	Billable
4/7/2002	AJS 1186 Prep Pleadings Preparation of pleadings - reply to motion to dismiss- legal research and writing	300.00	5.50	1,650.00	Billable
4/8/2002	AJS 1189 telecon t/c w/ client; t/c w/ co-counsel; prepare response to Motion to Dismiss; conf. call with clients and expert;	300.00	8.50	2,550.00	Billable
4/9/2002	AJS 1191 telecon t/c w/ Leslie Allen, Esq.; t/c w/ Steve Justice, Esq. - ORSANCO; t/c w/ co-counsel; prepare response to Motion to Dismiss -	300.00	7.50	2,250.00	Billable
4/10/2002	AJS 1194 Prep Pleadings Preparation of pleadings - opposition to Motion to Dismiss, prepare for meeting w/ EPA and State; t/c w/ client; meeting with co-counsel and meeting with EPA/State; prepare brief in opposition -t/c w/ co-counsel; begin research intervention issue	300.00	8.50	2,550.00	Billable
4/11/2002	AJS 1196 Research Research - motion to intervene; long t/c w/ experts re: affidavits; research motion to intervene; t/c w/ Margaret Murphy, Esq. OAG office; t/c w/ co-counsel; e-mails to experts; research Motion to Intervene	300.00	8.50	2,550.00	Billable
4/15/2002	AJS 1204 Review Review co-counsel comments on 12(b)(1) opposition; t/c w/ expert re. affidavit; Legal research on Motion to Intervene	300.00	6.80	2,040.00	Billable
4/16/2002	AJS 1207 Prep Pleadings Preparation of pleadings: Motion to Intervene legal research; long t/c w/ co-counsel and associates; Opposition to 12(b) Motion; research and	300.00	7.50	2,250.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	re-write				
4/17/2002 1209	AJS Prep Pleadings t/c w/ co-counsel; t/c w/ Leslie Allen; t/c w/ Peggy Malone; revise 12(b)(1) opposition; t/c w/ expertx2; legal research on diligent prosecution;	300.00	7.00	2,100.00	Billable
4/18/2002 1212	AJS Rewse revise 12(b)(1) Opposition final; prepare exhibits - t/c w/ Leslie Allenx2; t/c w/ co-counselx2; prepare final copy; prepare for service	300.00	6.10	1,830.00	Billable
4/19/2002 1214	AJS Meeting Meeting w/ co-counsel and associates on 12(b)(1) and 12(b)(6) motions; prepare exhibits; t/c w/expert; revise brief; t/c Peggy Malone; recusal issue	300.00	6.00	1,800.00	Billable
4/20/2002 1217	AJS telecon t/c w/ co-counsel re: final revisions to the 12(b)(1) opp.	300.00	0.50	150.00	Billable
4/22/2002 1218	AJS Review Review 12(b)(6) brief and comment; t/c w/ Leslie Allen; t/c w/ co-counsel	300.00	3.00	900.00	Billable
4/23/2002 1221	AJS Prep Pleadings Preparation of pleadings; prepare final briefs and exhibits for filing; meeting w/co-counsel	300.00	4.50	1,350.00	Billable
4/24/2002 1224	AJS Review Review IPCD Exhibits - Ex. 8, Industrial Waste SSO/CSO Plan; t/c w/ expert; legal res re: recusal memorandum of law; draft letter to Judge Beckwith; e-mail to clients	300.00	6.30	1,890.00	Billable
4/25/2002 1230	AJS telecon t/c w/ co-counsel; prepare letter to Judge Beckwith; t/c w/ fact witness; lunch meeting with clients; review EPA's motion for Rule 16 Conf.; prepare memo of law on recusal	300.00	6.20	1,860.00	Billable
4/26/2002 1234	AJS Research Research motion to recuse; t/c w/ co-counsel	300.00	0.60	180.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
4/29/2002	AJS 1238 Review Review final recusal memo of law; t/c w/ co-counsel	300.00	0.50	150.00	Billable
5/2/2002	AJS 1248 Research Research - intervention issues	300.00	1.10	330.00	Billable
5/3/2002	AJS 1249 Legal Research Legal Research - intervention issues; judicial review of CDs under CWA	300.00	2.00	600.00	Billable
5/4/2002	AJS 1257 Legal Research Legal Research - intervention	300.00	2.00	600.00	Billable
5/6/2002	AJS 1259 Legal Research Legal Research - intervention; memo to co-counsel; begin drafting response to EPA's scheduling order memo (intervention and consolidation).	300.00	5.00	1,500.00	Billable
5/7/2002	AJS 1260 Prep Pleadings Preparation of pleadings - Intervention memo	300.00	6.50	1,950.00	Billable
5/8/2002	AJS 1266 Review Review MSD documents - new ones from paralegal	300.00	2.10	630.00	Billable
5/9/2002	AJS 1271 Review Review MSD documents; c w/ client; t/c w/ co-counsel re: status of MSD and EPA replies	300.00	4.10	1,230.00	Billable
5/13/2002	AJS 1276 Review Review - Reply Brief of Def; Recusal replies; Motion to Strike exhibits; t/c w/ co-counsel-	300.00	2.10	630.00	Billable
5/14/2002	AJS 1280 telecon t/c w/ expert - case issues; e-mail w/co-counsel;	300.00	0.75	225.00	Billable
5/15/2002	AJS 1283 Conference Conference with co-counsel; t/c w/ co-counsel; t/c w/ client; prepare Motion to Intervene	300.00	3.00	900.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
5/16/2002 1287	AJS telecon t/c w/ co-counsel re intervention; e-mail to Leslie Allen and Peggy Malone; D's Motion to Strike Exhibits; t/c w/ client; interview witness; t/c w/ experts re: sewage in basements (health issues)	300.00	4.20	1,260.00	Billable
5/17/2002 1289	AJS Conference Conference with client - luncheon meeting	300.00	1.50	450.00	Billable
5/24/2002 1302	AJS Prep Pleadings Preparation of pleadings - Motion to Intervene and Response to Rule 16 Motion; t/c w/ co-counsel; t/c w/ Peggy Malone and e-mail re certification of documents	300.00	5.20	1,560.00	Billable
5/28/2002 1306	AJS telecon t/c to Peggy Malone; e-mail review re: document certification	300.00	0.30	90.00	Billable
5/29/2002 1308	AJS Meeting Meeting w/ witness; legal res. on Motion to Dismiss (MSD) and Motion to Strike; t/c w/ co-counsel; t/c w/ client	300.00	5.00	1,500.00	Billable
5/30/2002 1310	AJS Research Research - and prepare response to Motion to Strike; t/c w/ co-counsel; e-mail to Peter Murphy and Peggy Malone	300.00	4.80	1,440.00	Billable
5/31/2002 1312	AJS Legal Research Legal Research and Preparation - response to Motion to Strike; meeting with co-counsel re: Motions - Sur-reply and Rule 26(f) conf.	300.00	8.10	2,430.00	Billable
6/3/2002 1314	AJS Prep Pleadings Preparation of pleadings - Reply on Motion to Strike; e-mail to co-counsel; review Def. Response to Rule 16 Motion; t/c w/ co-counsel	300.00	2.50	750.00	Billable
6/4/2002 1319	AJS telecon t/c w/ client; e-mail to Peter Murphy, Esq.; meeting w/co-counsel re: Response to Motion to Strike, 26(f) conference	300.00	2.50	750.00	Billable
6/6/2002 1322	AJS Research Research - prepare brief on Motion to Strike; e-mail to co-counsel	300.00	4.20	1,260.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
6/17/2002	AJS 1324 Review Review Joint Reply Memo re: Rule 16 Conf.; t/c w/ co-counsel; prepare for Rule 26(f) - discovery issues	300.00	1.50	450.00	Billable
6/20/2002	AJS 1328 telecon t/c w/ client; e-mail to clients; review OEPA and MSD documents	300.00	2.00	600.00	Billable
6/24/2002	AJS 1330 Review Review - US Motion for Case Management Order; t/c w/ co-counsel; legal research on case management orders; discovery issues; prepare agenda for meeting with co-counsel	300.00	1.50	450.00	Billable
6/26/2002	AJS 1333 Review Review Def. Reply Memo to Motion to Strike; Defs Memo in Opp. to Intervention; e-mail to clients; review documents from MSD; prepare for meeting with co-counsel; t/c w/ Dave Altman; t/c w/ clients	300.00	5.50	1,650.00	Billable
6/27/2002	AJS 1335 Meeting Meeting w/ co-counsel on Intervention, Case Management Order, discovery, etc.	300.00	3.00	900.00	Billable
6/28/2002	AJS 1334 Research Research - and prepare response to the Defs Opposition to Pl's Intervention; US Motion for a Case Mgmt. Order	300.00	3.00	900.00	Billable
6/30/2002	AJS 1337 Research Research - Pl. response to Def. Opp. to Intervention	300.00	2.20	660.00	Billable
7/1/2002	AJS 1339 Research Research - and prepare Response to Defs Opp to Motion to Intervene	300.00	3.50	1,050.00	Billable
7/2/2002	AJS 1343 Research Research - legal research and prepare pleading re; Reply Brief - Intervention; t/c w/ clients; memo to clients; e-mails	300.00	6.10	1,830.00	Billable
7/3/2002	AJS 1342 Prep Pleadings Preparation of pleadings - Reply to Defs Opp Intervention - t/c w/ co-counsel	300.00	5.20	1,560.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
7/6/2002	AJS	300.00	2.30	690.00	Billable
1344	Legal Research Legal Research - Diligent Prosec defense- Village of Anna and other cases				
7/7/2002	AJS	300.00	6.20	1,860.00	Billable
1346	Prep Pleadings Preparation of pleadings - memo in opp. to US motion for Case Management Order; e-mail to clients; t/c to clients; legal research;				
7/8/2002	AJS	300.00	2.00	600.00	Billable
1345	Legal Research Legal Research and Preparation and assembly of. response to US motion for CMO; e-mail to co-counsel				
7/9/2002	AJS	300.00	2.00	600.00	Billable
1347	Research Research - legal res. Sur-reply on Motion to Strike and Intervention; t/c w/ co-counsel				
7/10/2002	AJS	300.00	5.80	1,740.00	Billable
1348	Prep Pleadings Preparation of pleadings - Sur-reply on Motion to Strike; t/c w/ client; legal research; review SSO reports from MSD				
7/11/2002	AJS	300.00	4.00	1,200.00	Billable
1352	Review Review - MSD documents on SSOs- 2000, 1996, 1994, 1993 Reports				
7/12/2002	AJS	300.00	3.90	1,170.00	Billable
1354	telecon t/c w/ co-counsel; prepare CMO; research on Rule 16 and Rule 26(f); e-mail to opposing counsel; prepare status memo				
7/13/2002	AJS	300.00	3.20	960.00	Billable
1357	Revise Reply to Defs Opp to Intervention - e-mail revision to co-counsel; Revise response to Case Management Order and Sur-reply on Motion to Strike - e-mail revisions to co-counsel				
7/16/2002	AJS	300.00	4.00	1,200.00	Billable
1363	telecon t/c w/ co-counsel; revise CMO brief, revise Response to Intervention brief, Sur-reply on Motion to Strike				
7/18/2002	AJS	300.00	3.00	900.00	Billable
1368	telecon t/c w/ co-counsel to revise briefs; revise briefs and prepare to file-				



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
7/20/2002	AJS 1373 File Review update pleading bibles	300.00	0.50	150.00	Billable
7/22/2002	AJS 1375 telecon t/c w/ co-counsel; prepare for Rule 26(f) teleconf.	300.00	0.75	225.00	Billable
7/24/2002	AJS 1378 Preparation Preparation for t/c w/ co-counsel re: 26(f) conf.- research; t/c w/ co-counsel;	300.00	2.50	750.00	Billable
7/25/2002	AJS 1380 telecon t/c w/ co-counsel re. 26(f) conference, discovery plan; review EPA 308 requests and responses- prepare document for 26(f); e-mail to co-counsel	300.00	3.50	1,050.00	Billable
7/28/2002	AJS 1381 Revise Revise Rule 26(f) status report and joint discovery plan; e-mail to co-counsel	300.00	2.50	750.00	Billable
7/29/2002	AJS 1382 telecon t/c w/ co-counsel; legal research on discovery stay issue; revise Joint Discovery Plan; e-mail to clients	300.00	1.10	330.00	Billable
8/5/2002	AJS 1391 telecon t/c w/ co-counsel; revise 26(f) plan; review e-mail from Peter Murphy, Esq. and Def. plan	300.00	2.10	630.00	Billable
8/6/2002	AJS 1393 Review Review Defs brief re: CMO and legal research - long t/c w/ counsel re: 26(f) plan; revise Rule 26(f) plan; Motion for Sanctions 37(g)	300.00	7.80	2,340.00	Billable
8/7/2002	AJS 1395 Legal Research Legal Research - on Motion for Sanctions 37(g); Prepare Motion and Memo of Law- t/c w/co-counselx2 about Plan and Motion for Sanctions; e-mail to co-counsel; e-mail to Peter Murphy, Esq.; e-mail to clients	300.00	4.20	1,260.00	Billable
8/8/2002	AJS 1397 telecon t/c w/ co-counsel; finish Rule 37(g) Motion and Memo; prepare affidavit	300.00	1.50	450.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
8/8/2002 1400	AJS telecon t/c w/ co-counsel re: affidavit; type up notes of 26(f) and e-mail to co-counsel	300.00	0.50	150.00	Billable
8/10/2002 1399	AJS telecon t/c w/ co-counsel; review revised CD from Peter Murphy; memo to client; t/c w/ client re: FOIA and Open Records requests, review MSD and EPA documents	300.00	4.20	1,260.00	Billable
8/12/2002 1406	AJS Preparation Preparation - letter to Leslie Allen in response to Aug. 6th letter- e-mail; review CSO file on MSD	300.00	1.10	330.00	Billable
8/13/2002 1403	AJS Legal Research Legal Research - on motion for sanctions - Rule 37(g); LEXIS; e-mail to co-counsel	300.00	3.50	1,050.00	Billable
8/14/2002 1409	AJS Review Review - MSD docs; t/c w/ Gary Prichard re: FOIA request	300.00	1.50	450.00	Billable
8/17/2002 1413	AJS Revise Motion for Sanctions and e-mail to co-counsel	300.00	1.50	450.00	Billable
8/19/2002 1414	AJS Legal Research Legal Research - Motion for Sanctions; revise brief, Sur-reply to US Joint reply CMO; secondary treatment issue; e-mail to co-counsel - secondary treatment issue/SSOs	300.00	2.30	690.00	Billable
8/20/2002 1417	AJS File Review File Maintenance- pleading binders indices; t/c w/ co-counsel re status of sanctions motion; begin document review of MSD documents Open Records	300.00	3.10	930.00	Billable
8/20/2002 1418	AJS Revise Revise sanctions motion; e-mail to co-counsel; memo to counsel; review e-mails	300.00	1.20	360.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
8/21/2002 1420	AJS telecon t/c w/ co-counsel re: 26(a) disclosures; Rule 37(g) sanctions; revised date for Rule 16 conf.	300.00	1.50	450.00	Billable
8/22/2002 1421	AJS telecon w/ co-counsel re: 26(a) disclosures; motion for sanctions; Rule 16 conf. review Motion for Entry US and Exhibits; review US Entry Exhibits and fax to experts; copying and mailing	300.00	5.50	1,650.00	Billable
8/23/2002 1426	AJS Meeting Meeting w/ paralegal; review documents MSD; prepare document control system; e-mail to P. Murphy; t/c w co-counsel; review 26(a) disclosures; meet w. co-counsel and sign documents	300.00	3.50	1,050.00	Billable
8/26/2002 1430	AJS telecon t/c w/ co-counsel; prepare for pre-trial hearing with Judge, review US Memo of Law on Entry and prepare responses; e-mail to experts; long memo to co-counsel re: US Memo of Law - strategy for experts and discovery	300.00	7.10	2,130.00	Billable
8/27/2002 1432	AJS Meeting Meeting w/ co-counsel; prepare for Prelim. Pre-trial; t/c w/ expert; prepare checklist for pretrial	300.00	4.50	1,350.00	Billable
8/28/2002 1434	AJS Court Court Appearance - Prelim. Pretrial; meeting with co-counsel; t/c w/ expert; prepare for response to Motion for Entry;	300.00	7.10	2,130.00	Billable
8/29/2002 1437	AJS telecon t/c w/ expert; legal research - prepare outline of brief Opp. Consent Order	300.00	4.50	1,350.00	Billable
8/30/2002 1440	AJS Legal Research Legal Research - prepare response brief - Motion for Entry - work with expert; t/c w/ co-counsel	300.00	2.10	630.00	Billable
9/3/2002 1445	AJS Prep Pleadings Preparation of pleadings - SC Opp to Entry	300.00	5.50	1,650.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
9/4/2002	AJS 1446 Prep Pleadings Preparation of pleadings - response to US Memo on Entry; e-mail to co-counsel	300.00	3.00	900.00	Billable
9/5/2002	AJS 1449 Prep Pleadings Preparation of pleadings - Opp to Entry of Order; e-mail from expert; co-counsel; t/c w/ co-counsel; revisions - review FOIA request	300.00	4.10	1,230.00	Billable
9/6/2002	AJS 1450 Prep Pleadings Preparation of pleadings - SC Opp to Entry of Order; legal res. t/c w/ co-counsel	300.00	4.20	1,260.00	Billable
9/7/2002	AJS 1451 Prep Pleadings Preparation of pleadings - revisions to Memo Opp to Entry	300.00	2.10	630.00	Billable
9/8/2002	AJS 1452 Prep Pleadings Preparation of pleadings - review final draft - shepardize	300.00	1.50	450.00	Billable
9/9/2002	AJS 1453 Prep Pleadings Preparation of pleadings - Memo Opp Entry - revisions, t/c w/ co-counsel; review expert affidavits;	300.00	3.50	1,050.00	Billable
9/10/2002	AJS 1458 Review Review final brief	300.00	0.50	150.00	Billable
9/16/2002	AJS 1465 File Review File Review - document discovery at EPA V - drive to Columbus, then Chicago and review documents, meeting with paralegals & travel	300.00	7.00	2,100.00	Billable
9/17/2002	AJS 1467 File Review File Review at EPA Region V in Chicago and travel	300.00	7.00	2,100.00	Billable
9/18/2002	AJS 1470 telecon t/c w/ co-counsel; e-mail to clients; t/c w/ clients; review EPA documents; e-mail to Peter Murphy, Esq.; review Def Opp to Sanctions brief	300.00	4.10	1,230.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
9/19/2002	AJS 1473 Preparation long memo to clients re: injunctive relief issue - meeting with EPA	300.00	2.50	750.00	Billable
9/23/2002	AJS 1477 Research Research - legal res and review and Preparation and assembly of response to Defs opp to sanctions	300.00	2.10	630.00	Billable
9/24/2002	AJS 1481 Prep Pleadings Preparation of pleadings - reply to Defs Opp to Sanctions- legal research and writing	300.00	5.30	1,590.00	Billable
9/25/2002	AJS 1483 telecon t/c w/ client; fax to client; e-mail to co-counsel re: Oct. 9th hearing; begin to review US reply on Motion for Entry; t/c w/ co-counsel;	300.00	3.50	1,050.00	Billable
9/26/2002	AJS 1482 Preparation revise Reply to Sanctions Opp; email to co-counsel; Review issue with client; t/c w/ co-counsel; legal research and revisions to brief	300.00	5.50	1,650.00	Billable
9/27/2002	AJS 1487 telecon t/c w/ co-counsel; e-mail to Gary Prichard; e-mail to Dale Holmes, Esq. COE, review US Reply brief on Entry	300.00	2.50	750.00	Billable
9/28/2002	AJS 1485 Prep Pleadings Preparation of pleadings -revisions to Reply to Sanctions Opp; t/c w/ co-counsel	300.00	4.00	1,200.00	Billable
9/29/2002	AJS 1488 Preparation Preparation and assembly of for depo of Linda Murphy; cont rev. US Reply Mot for Entry and affidavits	300.00	2.00	600.00	Billable
9/30/2002	AJS 1489 Review Review - finalize the Sanctions motion - t/c with co-counsel and e-mail and legal res.	300.00	1.50	450.00	Billable
9/30/2002	AJS 1490 Preparation e-mails to Dale Holmes, General Counsel CEO- legal research re; Army regs for depo; Rec Allen letterPreparation of pleadings - motion to lift stay; legal research	300.00	4.80	1,440.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
10/1/2002 1493	AJS Revise Motion for Leave to Depose Linda Murphy, t/c w/ co-counsel; legal research and drafting; e-mail to expert	300.00	4.00	1,200.00	Billable
10/2/2002 1495	AJS telecon t/c w/co-counsel re; Motion for Leave to Depose Linda Murphy; t/c w/ MCWC; review and revise brief, review and fax affidavits of Def, US, State to expert; read State and Def's Reply on Entry of Order	300.00	4.60	1,380.00	Billable
10/4/2002 1498	AJS Meeting Meeting w/ co-counsel to prepare for oral arguments	300.00	5.00	1,500.00	Billable
10/5/2002 1500	AJS Prep Pleadings Preparation of pleadings - prepare for oral arg	300.00	2.00	600.00	Billable
10/6/2002 1501	AJS Preparation Preparation - for oral argument	300.00	4.00	1,200.00	Billable
10/7/2002 1503	AJS Preparation Preparation - for oral argument, t/c w/ co-counsel; e-mail to clients	300.00	8.50	2,550.00	Billable
10/8/2002 1506	AJS Preparation Preparation for oral argument; legal res.; t/c w/ co-counsel - prepare binders for oral argument	300.00	9.40	2,820.00	Billable
10/9/2002 1507	AJS Preparation Preparation and attend oral arg in court	300.00	9.00	2,700.00	Billable
10/10/2002 1511	AJS telecon t/c w/ co-counsel; memo to clients	300.00	1.10	330.00	Billable
10/14/2002 1518	AJS telecon t/c w/ counsel and clients re: discovery; prepare for discussion with Donetta Wiethe - t/c w/ client in SFO;	300.00	3.50	1,050.00	Billable
10/15/2002 1519	AJS telecon t/c w/ co-counsel; t/c w/ expert; t/c w/ co-counsel - t/c w/ Nettie Wiethe,	300.00	4.50	1,350.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	Esq. about discovery; review Wiethe's proposal; prepare response to US discovery proposal; begin to prepare RFA's and Proposed Stips -				
10/16/2002 1522	AJS Meeting Meeting w/ co-counsel re: Discovery Plan; conf. call w/ all attorneys; legal research on FRE 408; prepare RFA and stips-	300.00	6.50	1,950.00	Billable
10/17/2002 1526	AJS Preparation Preparation - Stips and RFA and Interrogs and RFP	300.00	4.00	1,200.00	Billable
10/18/2002 1528	AJS Preparation Preparation for meeting w/ Judge Spiegel on discovery order; meeting w/ co-counsel; c/w Judge;	300.00	5.00	1,500.00	Billable
10/20/2002 1530	AJS Preparation Preparation - discovery requests-	300.00	1.50	450.00	Billable
10/21/2002 1531	AJS Preparation Preparation of discovery requests; t/c w/co-counsel; prepare alternate page 2 to the Discovery Plan for Judge Spiegel; prepare RFP; t/c w/ counsel; prepare RFP of Docs and 30(b)(6) interrogs	300.00	6.50	1,950.00	Billable
10/22/2002 1534	AJS Review Review docs from FOIA	300.00	4.00	1,200.00	Billable
10/28/2002 1536	AJS Conference Conference with client; t/c w/ co-counsel; t/c w/ Gary Prichard and Leslie Allen; prepare and revise Stips and RFP	300.00	6.10	1,830.00	Billable
10/29/2002 1537	AJS Preparation Preparation - discovery - RFP, RFA, Interrogs; e-mail to co-counsel	300.00	4.80	1,440.00	Billable
10/30/2002 1540	AJS Preparation Preparation first set interrogs; t/c w/ Leslie Allen; t/c w/ co-counsel; revise stipulations and e-mail to all counsel. Prepare for meeting with clients on Friday- strategy issues and demand development.	300.00	5.20	1,560.00	Billable

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SSO700.Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
10/31/2002	AJS 1541 Preparation Preparation of discovery requests; t/c w/ counsel -	300.00	5.80	1,740.00	Billable
11/1/2002	AJS 1543 Meeting Meeting w/ clients in AM; conf. w. co-counsel and finish Discovery Requests (9 sets - revise and finalize) and serve;	300.00	8.10	2,430.00	Billable
11/3/2002	AJS 1548 Misc. send Discovery Requests to clients and experts	300.00	0.45	135.00	Billable
11/4/2002	AJS 1551 Review Review Discovery requests; e-mail to experts, clients	300.00	1.10	330.00	Billable
11/5/2002	AJS 1552 Review Review e-mail; t/c w/ co-counsel; t/c w/ Peggy Malone re:discovery; e-mail to Peggy; e-mail to clients	300.00	1.00	300.00	Billable
11/6/2002	AJS 1557 telecon t/c w/ co-counsel re: Peggy Malone's objections to RFAs; prepare responses and call to PM; t/c w/ Peggy Malone on discovery requests-Stipulations; review USDOJ motion for a stay; e-mail memo to client and fax	300.00	4.50	1,350.00	Billable
11/7/2002	AJS 1560 telecon t/c w/ co-counsel re:discovery x3; multiple e-mails to and from Leslie Allen; review USDOJ motion for Stay; begin to prepare response; review letter from USDOJ and Defendants re: Stipulations	300.00	3.80	1,140.00	Billable
11/8/2002	AJS 1561 Meeting Meeting w/ clients- document review; t/c w/ expert; Notice of Depositions; review and respond to discovery requests	300.00	4.00	1,200.00	Billable
11/13/2002	AJS 1566 Review Review e-mails and send e-mails to opposing counsel and co-counsel; review FOIA Indices from Gary Prichard	300.00	2.00	600.00	Billable
11/14/2002	AJS 1569 telecon t/c w/ client; fax to client; review discovery requests and status; review e-mail from Leslie; FOIA exemptions; legal research; e-mail to Leslie and	300.00	6.00	1,800.00	Billable



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	Gary; multiple e-mail re:discovery disputes				
11/15/2002 1571	AJS Preparation Preparation - respond to discovery requests; e-mail to Leslie Allen; review FOIA exemption attachments; e-mail to Peggy Malone; e-mail to Peter Murphy; review stipulations; legal research on new SSO rule;	300.00	4.70	1,410.00	Billable
11/18/2002 1574	AJS Preparation Preparation - response to discovery - Id of documents	300.00	3.10	930.00	Billable
11/19/2002 1575	AJS Preparation Preparation - response to discovery requests; e-mail to clients; t/c w/ clients; e-mail to experts	300.00	5.00	1,500.00	Billable
11/20/2002 1576	AJS Preparation Preparation - responses to discovery requests; e-mail to co-counsel	300.00	3.00	900.00	Billable
11/21/2002 1577	AJS Preparation Preparation - of responses to discovery- review MSD and EPA documents; t/c w/ Peter Murphy, Michael Murphy; t/c w/ co-counsel	300.00	4.00	1,200.00	Billable
11/22/2002 1578	AJS Review Review discovery documents and prepare for document productions	300.00	4.00	1,200.00	Billable
11/23/2002 1579	AJS Review Review discovery docs and prepare for document production	300.00	2.00	600.00	Billable
11/24/2002 1580	AJS Review Review discovery documents and prepare for document production	300.00	2.00	600.00	Billable
11/25/2002 1582	AJS Preparation Preparation of responses to discovery requests	300.00	3.50	1,050.00	Billable
11/26/2002 1583	AJS Preparation Preparation of response to discovery requests	300.00	8.00	2,400.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
11/27/2002	AJS 1584 Preparation Preparation of responses to discovery requests; t/c w/ client and co-counsel	300.00	5.00	1,500.00	Billable
11/29/2002	AJS 1587 Preparation Preparation for Karney depo; resp. to Interrogs	300.00	4.00	1,200.00	Billable
12/1/2002	AJS 1588 Preparation Preparation - responses to discovery; prepare for Karney deposition	300.00	5.50	1,650.00	Billable
12/2/2002	AJS 1589 Meeting Meeting w/ counsel re: Document Production; meeting w/ co-counsel; meeting w/opposing counsel; finish document production; privilege log and e-mail doc prod to all counsel	300.00	7.00	2,100.00	Billable
12/3/2002	AJS 1591 Deposition Deposition - take Karney depo and review depo notes; c/ w/ co-counsel	300.00	11.00	3,300.00	Billable
12/4/2002	AJS 1590 Review start index and review of 68 boxes of MSD documents at Sierra Club office; meeting w/ co-counsel; prepare for Karney deposition - day 2	300.00	10.00	3,000.00	Billable
12/5/2002	AJS 1594 Review Review Judge Spiegel's order; t/c w/ client; t/c w/ co-counsel; legal research - interference	300.00	2.10	630.00	Billable
12/6/2002	AJS 1595 telecon conf. call w/ clients re: Judge Spiegel's order; meeting with clients; review 68 boxes of documents	300.00	4.00	1,200.00	Billable
12/8/2002	AJS 1597 Review Review e-mails; t/c w/ client re: strategy	300.00	0.75	225.00	Billable
12/9/2002	AJS 1598 Review Review boxes of documents from MSD for indexing; c/w/Client; c/co-counsel; prepare for Linda Murphy depo.	300.00	6.00	1,800.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/11/2002	AJS 1599 Review Review MSD documents; t/c w/ counsel; e-mail to opposing counsel, Notice of depo	300.00	4.50	1,350.00	Billable
12/12/2002	AJS 1601 Review Review documents; e-mails to counsel re: discovery issues and discovery conf. call; expert depositions; long t/c w/ expert; review US Motion for Clarification; t/c w/ co-counsel; response to clarification	300.00	6.50	1,950.00	Billable
12/13/2002	AJS 1602 Preparation Preparation documents and materials for expert; copy and send to expert; review 68 boxes and index; prepare input to Leslie Allen re: Sierra Club principles for 2nd Decree; long t/c w/co-counsel	300.00	4.00	1,200.00	Billable
12/16/2002	AJS 1608 Review Review MSD documents; research Partial Summary Judgment; prepare for conf. call on discovery and response to US Motion for Clarification; Conf. call w/counsel; t/c w/ co-counsel	300.00	5.50	1,650.00	Billable
12/17/2002	AJS 1611 Legal Research Legal Research - motion for partial summary judgment on citizen suit	300.00	2.50	750.00	Billable
12/18/2002	AJS 1612 Preparation Preparation long memo to clients re:status	300.00	2.50	750.00	Billable
12/20/2002	AJS 1613 Preparation Preparation of long let to opp counsel re: discovery issues; long t/c w/ client and co-counsel	300.00	4.00	1,200.00	Billable
12/23/2002	AJS 1614 Preparation Preparation objections to Discovery responses; t/c w/ co-counsel	300.00	4.50	1,350.00	Billable
12/27/2002	AJS 1615 Preparation Preparation - Motion for Discovery clarification; t/c w/ co-counsel - e-mail to counsel; review Memo on Clarification from Defs.	300.00	4.00	1,200.00	Billable
12/28/2002	AJS 1616 Review Review discovery docs provided by Defs	300.00	2.50	750.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/29/2002	AJS 1617 Preparation Preparation of response to US RFA and e-mail to Leslie; review docs provided by Defs	300.00	3.50	1,050.00	Billable
12/30/2002	AJS 1620 telecon t/c w/ co-counsel; prepare long let to US and Defs re: discovery issues, Motion for Partial SJ; legal research; prepare for depositions; review US discovery responses (Admissions, Interrogs). Review 1999 Partial Consent Decree	300.00	5.10	1,530.00	Billable
12/31/2002	AJS 1621 Prep Pleadings Preparation of pleadings - Memo of law in support of Partial SJ - LEXIS; e-mail to co-counsel, review G. Prichard response on Admission and respond; review docs on rates for Kavanaugh; review E.Branch Mill Creek Study.,	300.00	6.00	1,800.00	Billable
1/2/2003	AJS 1622 Review Review E.Branch Mill Creek Study; copy vols for experts and mail; t/c to clients re:discovery; e:mail to opposing counsel re: discovery; t/c w/ Peggy Malone re:discovery	300.00	4.50	1,350.00	Billable
1/3/2003	AJS 1623 Review Review e-mail from Gary Prichard; revise inserts on Admissions and Stips; t/c to Peggy Malone; review MSD disc responses; t/c w/ expert; review Defs RFAs; t/c to Peter Murphy re: 30(b)(6)	300.00	6.10	1,830.00	Billable
1/4/2003	AJS 1626 Review Review MSD docs on SSO 700; send to expert; prepare for Karney depo day 2	300.00	3.30	990.00	Billable
1/5/2003	AJS 1627 Review Review MSD docs on SSOs and prepare pkg to expert; prepare for Simpson and Elmaraghy depos	300.00	2.50	750.00	Billable
1/6/2003	AJS 1629 Legal Research Legal Research- partial SJ; review docs; e-mail on 30(b)(6) depo	300.00	3.10	930.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
1/7/2003	AJS 1631 Legal Research Legal Research - LEXIS- motion for partial SJ; review letters and e-mails from Leslie Allen re: discovery disputes	300.00	3.10	930.00	Billable
1/8/2003	AJS 1632 Legal Research Legal Research - Motion for Partial SJ - LEXIS , t/c w/ Peggy Malone re:discovery; t/c w/ client and co-counsel	300.00	4.50	1,350.00	Billable
1/9/2003	AJS 1634 Review Review Reports of Defs experts Wilber and Vredevelde; review exhibits to reports; t/c w/ expert; t/c w/ co-counsel and clients; e-mail to experts; review Motion for SJ draft and revisions	300.00	5.80	1,740.00	Billable
1/10/2003	AJS 1637 File Review File Review - trip to Columbus to review OEPA docs in resp to disc Rule 34	300.00	8.00	2,400.00	Billable
1/13/2003	AJS 1639 Preparation Preparation for Saylor, Elmaraghy and Simpson depos and Karney day 2;	300.00	5.00	1,500.00	Billable
1/14/2003	AJS 1642 Preparation Preparation - prepare for Depos - Saylor, Simpson and Elmaraghy - prepare copies of exhibits; t/c w/ co-counsel; t/c w/ clients	300.00	8.80	2,640.00	Billable
1/15/2003	AJS 1643 Deposition Deposition of Eric Saylor (MSD); travel, attend depo, document production - Meeting w/ co-counsel re:next steps; prepare for Simpson and Elmaraghy depos (OEPA)	300.00	11.00	3,300.00	Billable
1/16/2003	AJS 1645 Deposition Deposition - attend depos of George Elmaraghy and Jim Simpson + travel	300.00	8.00	2,400.00	Billable
1/22/2003	AJS 1647 e-mail review and respond to e-mail from Def and OEPA; meeting w/client; review documents from M. Malone, OEPA; review reply brief to Defs Reply to Clarification; t/c w/ expert;	300.00	4.50	1,350.00	Billable
1/23/2003	AJS 1648 Review Review documents from SAIC; prepare motion for partial SJ	300.00	3.50	1,050.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
1/28/2003 1649	AJS Meeting Meeting w/expert; t/c w/ co-counsel; legal research on motion for partial summary judgment	300.00	6.40	1,920.00	Billable
1/29/2003 1650	AJS Preparation Preparation for Karney depo; e-mail from Defs; e-mail to clients	300.00	7.50	2,250.00	Billable
1/30/2003 1651	AJS Deposition Deposition - attend depo of Pat Karney (day #2)- c/w co-counsel -	300.00	9.50	2,850.00	Billable
1/31/2003 1653	AJS telecon t/c w/ Bruce Bell; prepare for Bell depo; draft letter to Counsel re: negotiations	300.00	3.20	960.00	Billable
2/3/2003 1654	AJS Preparation Preparation for meeting with Experts; prepare for Bell and Kavanaugh depositions;	300.00	2.50	750.00	Billable
2/4/2003 1655	AJS Meeting Meeting w/ experts to prepare for depositions; meeting w/clients	300.00	13.50	4,050.00	Billable
2/5/2003 1657	AJS Deposition Deposition of Bruce Bell - attend and travel	300.00	10.00	3,000.00	Billable
2/6/2003 1660	AJS Deposition Deposition - attend depo of Mike Kavanaugh and travel	300.00	8.00	2,400.00	Billable
2/14/2003 1665	AJS Review Review documents; prepare letter to counsel on Second Consent Decree, e-mail; prepare report to client re: status of case; review other consent decrees	300.00	5.20	1,560.00	Billable
2/18/2003 1668	AJS Preparation Preparation memo to clients; e-mail to and from clients	300.00	1.50	450.00	Billable
2/20/2003 1670	AJS Preparation Preparation - for depo of Clyde Wilber; t/c w/ expert	300.00	3.00	900.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
2/21/2003	AJS 1671 Meeting Meeting w/ clients re: strategy	300.00	3.00	900.00	Billable
2/24/2003	AJS 1673 Preparation Preparation for Wilber depo; review EPA Guidance doc; BBS reports; respond to e-mail from Kevin; legal research on diligent prosecution; e-mails to experts; clients	300.00	5.50	1,650.00	Billable
2/25/2003	AJS 1675 Preparation Preparation for depo of Clyde Wilber; long t/c w/co-counsel; review documents from MSD	300.00	6.50	1,950.00	Billable
2/26/2003	AJS 1676 Deposition Deposition attend depo of Clyde Wilber	300.00	8.00	2,400.00	Billable
3/6/2003	AJS 1689 Review Review letter from Leslie Allen re: negotiations; prepare summary and memo to clients; e-mail to clients; memos to experts and e-mail; t/c w/ expert	300.00	2.20	660.00	Billable
3/7/2003	AJS 1694 Review Review SSO 700 Final IRM plan; t/c w/ expert; e-mail to expert;	300.00	2.50	750.00	Billable
3/10/2003	AJS 1696 Meeting Meeting w/ clients and new paralegal; t/c w/ co-counsel; rev. SSO 700 Interim Report; draft response to Leslie Allen letter; t/c w/ expert; e-mail to experts	300.00	3.60	1,080.00	Billable
3/11/2003	AJS 1697 telecon t/c w/ expert; t/c w/ paralegal; fax index of boxes	300.00	0.30	90.00	Billable
3/12/2003	AJS 1702 e-mail respond to e-mail from K.SJ re; trickling filter plant; prepare for meeting w/clients - summary report; e-mail to experts; t/c w/ Mike K; revise presentation for clients; Rate issues	300.00	4.50	1,350.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/13/2003	AJS 1705 Review Review other CDs to compare re: Leslie Allen's letter requesting input. Prepare draft reponse to Leslie Allen's letter re: input	300.00	2.50	750.00	Billable
3/14/2003	AJS 1706 Meeting Prepare for and attend Meeting w/ clients -	300.00	4.00	1,200.00	Billable
3/15/2003	AJS 1708 Prep Pleadings Preparation of pleadings - Motion for Clarific'n	300.00	4.10	1,230.00	Billable
3/16/2003	AJS 1715 Meeting Meeting w/ client re: strategy	300.00	4.00	1,200.00	Billable
3/18/2003	AJS 1716 Misc. Memo to client and e-mail re: status	300.00	0.50	150.00	Billable
3/19/2003	AJS 1718 Review Review MSD documents re: rate issues - Official Statement, etc.; t/c w/ expert	300.00	2.50	750.00	Billable
3/20/2003	AJS 1719 telecon t/ w/ paralegal; memo to client; e-mail to Kevin SJ; t/c w/ co-counsel re: Status Conf	300.00	2.10	630.00	Billable
3/21/2003	AJS 1722 Preparation Preparation - Motion for Clarification of Order; e-mail to co-counsel; meeting with paralegal re:document production	300.00	3.50	1,050.00	Billable
3/21/2003	AJS 1724 Research Research - legal res. re: CSO consent decrees; Motion to Require Partic; e-mail to co-counsel; review expert report and e-mail to expert.	300.00	2.30	690.00	Billable
3/24/2003	AJS 1726 Review Review 1991 SWIM report; e-mail to clients; e-mail from rate expert	300.00	2.00	600.00	Billable



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/25/2003	AJS 1729 Review Review EPA CSO Financial Guidance; meet w/ paralegal re: document discovery	300.00	3.50	1,050.00	Billable
3/26/2003	AJS 1731 Review Review EPA CSO Guidance; c/ w/ client; t/c w/ expert; e-mail to Leslie Allen	300.00	1.50	450.00	Billable
3/27/2003	AJS 1735 Legal Research Legal Research - intervention issue- participation in negotiations; review expert report	300.00	3.60	1,080.00	Billable
3/28/2003	AJS 1739 telecon t/c w/ expert; review report; e-mail to clients	300.00	1.30	390.00	Billable
3/31/2003	AJS 1740 telecon t/c w/ experts; review IPCD annual report; review expert report	300.00	1.50	450.00	Billable
4/1/2003	AJS 1741 telecon t/c w/ expert; review expert report; meeting w/ client	300.00	3.10	930.00	Billable
4/2/2003	AJS 1744 Review review expert report; t/c w/ co-counsel; review documents produced in discovery; Motion to compel; e-mail expert report to counsel; prepare for Status Conf.	300.00	3.40	1,020.00	Billable
4/3/2003	AJS 1750 Review Review MSD documents fr. CD-ROMs; t/c w/ co-counsel; e-mail to clients and paralegal; e-mail to Leslie Allen and Gary Prichard	300.00	3.10	930.00	Billable
4/4/2003	AJS 1752 Meeting Meeting w/ paralegal; discuss strategy; SIB residents	300.00	2.00	600.00	Billable
4/8/2003	AJS 1754 Review Review materials from Katie on SIB; prepare strategy memo to client; e-mail to client; send Kavanaugh appendix to service list	300.00	2.20	660.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
4/9/2003	AJS 1757 telecon t/c w/ co-counsel; t/c w/ Leslie Allen x2; t/c w/ client; memo to clients	300.00	2.80	840.00	Billable
4/10/2003	AJS 1758 telecon t/c w/ co-counsel; long memo to client re: Status Conf, conf. w/ paralegal; t/c w. experts	300.00	3.50	1,050.00	Billable
4/14/2003	AJS 1764 Preparation Preparation for Status Conf. - t/c w/ clients; t/c w/ co-counsel	300.00	2.50	750.00	Billable
4/15/2003	AJS 1765 Preparation Preparation for Status Conf. meeting w/ co-counsel; attend status conf -	300.00	8.00	2,400.00	Billable
4/16/2003	AJS 1766 Preparation Preparation memo to clients re: strategy issues; t/c w/ clients; e-mail from clients	300.00	2.40	720.00	Billable
4/17/2003	AJS 1768 Meeting Meeting w/ paralegal; discuss interviews with SIB residents; prepare memo to clients re: next steps	300.00	4.80	1,440.00	Billable
4/28/2003	AJS 1770 Review Review e-mail from counsel, review spreadsheets from EPA; conf with co-counsel and experts; prepare for negotiation with Defs and EPA; review materials sent by Defs	300.00	2.50	750.00	Billable
4/29/2003	AJS 1778 Review Review EPA letter on CEHRS; meeting w/ para and experts; review CSO document list; conf. w. para. on CSO documents; prepare for meeting with Defs - review power point and Excell spread sheets from EPA and Def.	300.00	4.50	1,350.00	Billable
5/1/2003	AJS 1779 Preparation Preparation for, meet with co-counsel and attend negotiating session with EPA/OEPA and Defs at Raddision	300.00	6.00	1,800.00	Billable
5/2/2003	AJS 1781 Review Review XCG Rept. Status of Combined Sewer Overflows, Nov. 2000; prepare memo to client on CEHRS	300.00	4.50	1,350.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
5/5/2003 1782	AJS Preparation Preparation - templates for SSO/CSO violation	300.00	3.40	1,020.00	Billable
5/6/2003 1785	AJS Meeting Meeting w/ paralegal re: eval of data	300.00	1.20	360.00	Billable
5/7/2003 1787	AJS telecon t/c w/ client re: SIBs and SEPs	300.00	0.75	225.00	Billable
5/14/2003 1795	AJS Preparation Preparation of long status report to client; meeting with paralegal; conf w/ client	300.00	3.50	1,050.00	Billable
5/19/2003 1797	AJS Preparation Preparation memo to clients; e-mail to clients; Peter Murphy and Leslie Allen	300.00	2.00	600.00	Billable
5/20/2003 1800	AJS telecon t/c w/ co-counsel; long memo to client re: status	300.00	2.50	750.00	Billable
5/23/2003 1802	AJS telecon Conf call w/ clients; meeting w/ paralegal; review Quarterly Report from MSD	300.00	3.50	1,050.00	Billable
5/27/2003 1805	AJS telecon t/c w/ expert; e-mail to client; research on CSO and WWTP violations	300.00	2.10	630.00	Billable
5/29/2003 1809	AJS e-mail to clients re: strategy; t/c w/ paralegal	300.00	1.20	360.00	Billable
6/2/2003 1812	AJS e-mail to clients; t/c w/ clients	300.00	1.00	300.00	Billable
6/5/2003 1818	AJS telecon Conf call w/ clients; meeting w/ paralegal; review charts of SSO, CSO activations	300.00	3.00	900.00	Billable

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SSO700.Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
6/10/2003	AJS 1824 Preparation Preparation summary for clients; t/c w/ co-counsel	300.00	1.40	420.00	Billable
6/12/2003	AJS 1828 Meeting Meeting w/ summer intern re: research needed	300.00	1.00	300.00	Billable
6/13/2003	AJS 1832 telecon t/c w/ client and expert	300.00	1.50	450.00	Billable
6/19/2003	AJS 1846 Review Review SSO and CSO charts	300.00	0.50	150.00	Billable
6/30/2003	AJS 1861 telecon t/c w/ clients and co-counsel re: status	300.00	1.00	300.00	Billable
7/1/2003	AJS 1864 Preparation Preparation of comment letter to EPA and OEPA	300.00	1.00	300.00	Billable
7/9/2003	AJS 1874 Meeting Prepare for and attend Meeting w/ MSD and OEPA and EPA	300.00	4.00	1,200.00	Billable
7/10/2003	AJS 1876 Preparation Preparation long e-mail and attachments to Leslie Allen and P. Murphy; comment letter on SIB and SEPs	300.00	2.20	660.00	Billable
7/11/2003	AJS 1880 telecon t/c w/ client re: strategy	300.00	0.50	150.00	Billable
7/14/2003	AJS 1881 e-mail email to Leslie Allen; t/c w/ client	300.00	0.60	180.00	Billable
7/15/2003	AJS 1886 e-mail e-mail to client; review SIB/SEP letter	300.00	2.00	600.00	Billable
7/16/2003	AJS 1888 telecon t/c with client	300.00	0.50	150.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
7/17/2003 1896	AJS Preparation Preparation comment letter to EPA; e-mail to clients	300.00	2.30	690.00	Billable
7/18/2003 1897	AJS Meeting Meeting w/ experts; t/c w/ co-counsel, prepare for meeting on Monday with EPA; meeting w/ paralegal	300.00	3.50	1,050.00	Billable
7/21/2003 1899	AJS Preparation Preparation for conf w/ EPA; review letter from clients; prepare report of conf call to clients.	300.00	3.00	900.00	Billable
7/21/2003 1901	AJS Preparation Preparation - Sewage in Basement information for settlement; review EPA materials on CSO policies	300.00	3.10	930.00	Billable
7/23/2003 1903	AJS e-mail e-mail with client; experts; prepare memo on conf call	300.00	2.50	750.00	Billable
7/24/2003 1907	AJS Legal Research Legal Research - review EPA CSO report	300.00	2.50	750.00	Billable
8/25/2003 1914	AJS telecon t/c w/ paralegal; review MSD Quarterly Report re:SSOs; t/c w/ co-counsel; prepare for conf w/ Judge Spiegel	300.00	1.50	450.00	Billable
8/26/2003 1918	AJS Meeting Meeting w/ clients re: Status	300.00	1.00	300.00	Billable
8/27/2003 1919	AJS Legal Research Legal Research - prepare for meeting with Judge - review Quarterly report; update cases	300.00	1.10	330.00	Billable
8/28/2003 1921	AJS Meeting Meeting w/ co-counsel and clients; prepare for Status Conf w/ Judge; prepare materials	300.00	4.50	1,350.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
9/2/2003	AJS 1922 Preparation Preparation for Status Conf, review pleadings; legal research, prepare materials for Judge	300.00	3.50	1,050.00	Billable
9/3/2003	AJS 1924 Preparation Prepare for Status Conf. and attend status conf - meeting with client and co-counsel; prepare materials for court	300.00	8.00	2,400.00	Billable
9/4/2003	AJS 1925 telecon t/c w/ client and co-counsel; prepare status report re. meeting w/ Judge; t/c w/client	300.00	3.50	1,050.00	Billable
9/5/2003	AJS 2120 telecon t/c w/ client; legal research - t/c w/ co-counsel; prepare for meeting on 9/9	300.00	1.50	450.00	Billable
9/9/2003	AJS 2122 Preparation Preparation for meeting with clients; fact research on SIB problems; attend meeting with clients (6-10)	300.00	7.50	2,250.00	Billable
9/10/2003	AJS 2123 telecon Preparation of status memo to client;	300.00	1.50	450.00	Billable
9/10/2003	AJS 2124 telecon t/c w/ co-counsel; legal research re: CSO Policy	300.00	1.50	450.00	Billable
9/13/2003	AJS 2126 Legal Research Legal Research on CSO claim - supplemental jurisdiction issue raised by Judge	300.00	1.50	450.00	Billable
9/15/2003	AJS 2127 Preparation Preparation - memo to client on strategy and e-mails	300.00	1.50	450.00	Billable
9/16/2003	AJS 2130 telecon t/c w/ client and co-counsel; e-mail to Leslie Allen	300.00	0.60	180.00	Billable
9/17/2003	AJS 2131 telecon t/c w/ client re: strategy	300.00	0.50	150.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
9/18/2003 2132	AJS Meeting Meeting w/ client; t/c w/ co-counsel	300.00	3.10	930.00	Billable
9/25/2003 2137	AJS telecon t/c w/ client;	300.00	0.50	150.00	Billable
9/25/2003 2237	AJS telecon t/c w/ client	300.00	0.10	30.00	Billable
9/26/2003 2140	AJS Misc. e-mail to clients	300.00	0.20	60.00	Billable
9/29/2003 2146	AJS Legal Research Legal Research - consent decree update; LEXIS; research on monitoring and oversight issues; t/c w/ client; meeting w/ clients	300.00	2.50	750.00	Billable
9/30/2003 2149	AJS Legal Research Legal Research on CD modification; CSO policy; LEXIS; EPA 2003 Report to Cong on CSOs	300.00	3.00	900.00	Billable
10/1/2003 2150	AJS Meeting Meeting w/ client; prepare materials for client on SIB issues for meeting with clients; LEXIS/NEXIS research	300.00	3.00	900.00	Billable
10/2/2003 2154	AJS Legal Research Legal Research on CSO policy - EPA 2002 rept.; t/c w/ client; prepare for comments on CD	300.00	2.00	600.00	Billable
10/6/2003 2155	AJS telecon t/c w/ clients x2; review SEPs from MCRP	300.00	1.50	450.00	Billable
10/7/2003 2157	AJS telecon t/c w/ client x2; prepare memo to client for their meeting w/ Commr. Portune; review Kavanaugh report on rate issue; review Saint Louis material on sewage in basement issues	300.00	2.50	750.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
10/8/2003 2159	AJS Review Review 2nd Consent decree; t/c w/ client; t/c w/ expert; review legal authorities on sewage in basement	300.00	4.50	1,350.00	Billable
10/9/2003 2161	AJS Review Review CD and prepare memo to clients	300.00	5.00	1,500.00	Billable
10/10/2003 2162	AJS Preparation Preparation of summary memo to client; legal research; review 1985 CD; review other EPA Decrees for comparisons	300.00	4.50	1,350.00	Billable
10/11/2003 2163	AJS Preparation Preparation of long memo to client on 2nd Decree - legal research penalty policy, SEP policy; e-mail to clients	300.00	3.50	1,050.00	Billable
10/13/2003 2166	AJS Review Review other CD from other cities	300.00	1.50	450.00	Billable
10/14/2003 2167	AJS Research Research - EPA CSO Policy and guidance; review other recent fed CDs for conformity; memos to clients; e-mail to clients; t/c w/ co-counsel	300.00	3.30	990.00	Billable
10/15/2003 2170	AJS Preparation Preparation comments on CD for client's meeting with Todd Portune	300.00	3.50	1,050.00	Billable
10/16/2003 2171	AJS Preparation Preparation memo for Client's meeting with Todd Portune; review CSO Policy - review other CDs	300.00	2.80	840.00	Billable
10/18/2003 2172	AJS Review Review CDs from other cities for comparisons	300.00	3.50	1,050.00	Billable
10/22/2003 2175	AJS Meeting Meeting w/ clients - prepare for meeting; prepare materials for clients and summaries of CD issues; prepare for meeting with SIB victims; t/c w/ co-counsel; review other CDs	300.00	5.50	1,650.00	Billable



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## SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
10/23/2003	AJS 2176 Preparation Preparation of memos for client; e-mail; t/c w/ clients; attend meeting w/ SIB victims at Holy Family Church	300.00	7.10	2,130.00	Billable
10/24/2003	AJS 2179 Preparation Preparation of comments on CD for client; t/c w/ experts; t/c with clients;	300.00	4.50	1,350.00	Billable
10/27/2003	AJS 2180 Legal Research Legal Research on Special Masters - rule 53; attend MSD meeting in Lockland	300.00	5.40	1,620.00	Billable
10/28/2003	AJS 2182 Preparation Preparation summary of MSD public meeting; legal research on special masters; e-mail to client and co-counsel; prepare for meeting with clients;	300.00	4.50	1,350.00	Billable
10/29/2003	AJS 2183 Preparation Preparation of comments on CD; legal res on special masters - Rule 53; meeting with clients; long t/c w/ co-counsel	300.00	4.70	1,410.00	Billable
10/30/2003	AJS 2185 Preparation Preparation of comments on the CD	300.00	4.30	1,290.00	Billable
11/3/2003	AJS 2186 Preparation Preparation of comments on CD; t/c w/ client and co-counsel	300.00	3.30	990.00	Billable
11/6/2003	AJS 2187 Revise revise client comments on CD; e-mail to client	300.00	1.20	360.00	Billable
11/10/2003	AJS 2188 telecon t/c w/ client re; strategy	300.00	0.10	30.00	Billable
11/11/2003	AJS 2192 Preparation Preparation comments on the CD; t/c w/clients; review Brown and Caldwell report	300.00	2.50	750.00	Billable
11/13/2003	AJS 2197 telecon t/c w/ clients; review Brown and Caldwell reports; edit CD comments	300.00	1.80	540.00	Billable

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SSO700: Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
11/17/2003	AJS 2198 Preparation Preparation for clients' meeting with City Council; revise comments with client; t/c w/ clientx3	300.00	3.50	1,050.00	Billable
11/18/2003	AJS 2200 Misc. attend meeting at City Council; t/c w/ client and e-mail; revise comments for County Commr meeting; travel	300.00	4.50	1,350.00	Billable
11/21/2003	AJS 2201 telecon t/c w/ client and co-counsel; memo to client; legal research on intervention and standing SIB;	300.00	3.70	1,110.00	Billable
11/23/2003	AJS 2203 Prep Pleadings Preparation of pleadings - prepare Status Report to Judge Spiegel; e-mail of clients	300.00	2.00	600.00	Billable
11/24/2003	AJS 2205 Preparation continue to prepare technical comments on CD; t/c w/ client and co-counsel on Status Rpt to Judge Spiegel; prepare technical comments;	300.00	3.30	990.00	Billable
11/25/2003	AJS 2208 Prep Pleadings Preparation of pleadings - Status Report; t/c w/ co-counsel; e-mail and fax; review final text of Status Rept	300.00	2.50	750.00	Billable
11/26/2003	AJS 2214 telecon t/c w/ co-counsel; review e-mail from client; e-mail to co-counsel	300.00	0.30	90.00	Billable
11/28/2003	AJS 2216 telecon t/c w/ co-counsel; prepare certif of service; research infectious disease expert for SIB issue	300.00	2.10	630.00	Billable
12/1/2003	AJS 2217 telecon t/c w/ client; t/c w/ co-counsel; hand-deliver doc to co-counsel	300.00	0.60	180.00	Billable
12/2/2003	AJS 2221 telecon t/c w/ T.Brush, Mill Creek Restoration re: SEPs; t/c w/ clients; revise technical comments;	300.00	2.50	750.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/4/2003 2227	AJS Review Review e-mail from expert re: SIB program; t/c w/ expert	300.00	0.50	150.00	Billable
12/8/2003 2231	AJS telecon telecon w/ client; t/c w/ co-counsel; review Justice Dept. motion in opp to SC motion; review Defs motion in opp to SC motion; review new Joint Complaint; t/c w/ client again, prepare for responses	300.00	4.30	1,290.00	Billable
12/9/2003 2234	AJS Preparation Preparation of memo to client re: options; legal research re: special master issue; e-mail to client and co-counsel	300.00	3.80	1,140.00	Billable
12/10/2003 2236	AJS Preparation letter to client re: status of case	300.00	0.50	150.00	Billable
12/11/2003 2238	AJS telecon t/c w/ Katie Danko, paralegal; t/c w/ co-counsel re: reply brief on Motion for a Status Conf.	300.00	0.75	225.00	Billable
12/12/2003 2240	AJS Prep Pleadings Preparation of pleadings - reply brief in support of Status Conf, e-mails from and to client; e-mail to co-counsel	300.00	2.00	600.00	Billable
12/16/2003 2244	AJS Revise revise reply brief; t/c w/ co-counsel; t/c w/ client	300.00	2.10	630.00	Billable
12/17/2003 2245	AJS e-mail reply to letter from Leslie Allen; e-mail to client and co-counsel	300.00	0.50	150.00	Billable
12/18/2003 2246	AJS telecon t/c w/ co-counsel; research; revise reply brief and e-mail to co-counsel for filing	300.00	1.10	330.00	Billable
12/24/2003 2251	AJS Legal Research Legal Research on petition for special master; review the 2nd CD and begin Rule 53 motion Preparation and assembly of.	300.00	2.00	600.00	Billable

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Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/25/2003	AJS 2252 Legal Research Legal Research and Preparation of Rule 53 motion	300.00	1.50	450.00	Billable
12/26/2003	AJS 2253 Legal Research Legal Research and Preparation of Motion for Special Master - re: unenforceability issue- review 2nd CD closely; e-mail to co-counsel and client	300.00	2.30	690.00	Billable
12/29/2003	AJS 2254 Preparation Preparation of Motion for Special Master - t/c w/ experts; e-mail to experts and to client	300.00	4.20	1,260.00	Billable
12/30/2003	AJS 2255 Preparation Preparation of Memo for Appt. of Special Master; e-mail to client; review markup of tech comments; prepare for meeting with client	300.00	3.50	1,050.00	Billable
12/31/2003	AJS 2257 Meeting Meeting w. client to go over strategy and experts and technical comments; t/c w/ co-counsel	300.00	2.00	600.00	Billable
1/1/2004	AJS 2256 Preparation Preparation of para-by-para comments on CD to submit to DOJ; e-mail to client and co-counsel	300.00	7.50	2,250.00	Billable
1/2/2004	AJS 2259 Review Review and edit para-by-para comments; e-mail to client and co-counsel; meeting in town w/ co-counsel and client to review strategy and Special Master motion	300.00	3.20	960.00	Billable
1/12/2004	AJS 2260 e-mail respond to e-mail from Leslie Allen, DOJ; t/c w/ client	300.00	0.30	90.00	Billable
1/13/2004	AJS 2264 telecon t/c w/ client; t/c w/ experts re: special master aff.	300.00	0.75	225.00	Billable
1/14/2004	AJS 2262 telecon t/c to experts; t/c w/client; review proposals for cont. expert work exhibits on Spec. Master; e-mails;	300.00	2.10	630.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
1/21/2004	AJS 2265 telecon t/c w/ expert; review expert report and comment; re: special master; financial issues	300.00	2.00	600.00	Billable
1/23/2004	AJS 2267 Review Review expert report on special master issue	300.00	0.75	225.00	Billable
1/26/2004	AJS 2266 telecon t/c w. expert; t/c w/ client; e-mails	300.00	0.50	150.00	Billable
1/27/2004	AJS 2269 Review Review Judge Spiegel's order; e-mail to clients and experts and co-counsel; prepare memo to client	300.00	1.00	300.00	Billable
1/28/2004	AJS 2270 telecon t/c w/ co-counsel re: Judge Spiegel's Order; t/c w/experts; prepare for conf call- Preparation for status conf.	300.00	1.20	360.00	Billable
1/28/2004	AJS 2271 Preparation Preparation of background memo for Judge Spiegel for Feb. 12 status conf.; research; e-mail to clients and experts	300.00	2.10	630.00	Billable
1/29/2004	AJS 2273 Preparation Preparation memo (power point) for Judge Spiegel; prepare for conf call with clients - agenda; e-mail to clients and experts	300.00	1.50	450.00	Billable
1/30/2004	AJS 2274 Conference Conference call with client re: Preparation for Feb. 12 status conf.; go over MSD 2000 Official Statement; long t/c w/ co-counsel; e-mail to opposing counsel	300.00	2.50	750.00	Billable
2/2/2004	AJS 2277 Meeting Meeting w/ client to plan strategy and prepare for the Status Conf.	300.00	2.00	600.00	Billable
2/3/2004	AJS 2278 Preparation Preparation for Status Conf. e-mail to clients and e-mail to experts; e-mail to Peter Murphy, Esq.	300.00	1.00	300.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
2/9/2004	AJS 2280 Prep Pleadings Preparation of pleadings - memorandum re: settlement master for submission to Court; t/c w/co-counsel; review SIB database from Peter Murphy; e-mail from Leslie Allen;	300.00	2.10	630.00	Billable
2/10/2004	AJS 2282 Meeting Meeting with co-counsel; t/c to Leslie Allen; prepare motion for settlement master; prepare for Status Conf.; legal research; e-mail to co-counsel	300.00	4.20	1,260.00	Billable
2/11/2004	AJS 2284 Preparation Preparation for Status Conf.; e-mail to and from client;	300.00	0.50	150.00	Billable
2/12/2004	AJS 2287 Court Court Appearance - Status Conference with Judge Spiegel; meeting with client and co-counsel	300.00	5.00	1,500.00	Billable
2/13/2004	AJS 2288 Preparation Preparation long memo to client and co-counsel re: status conf. - re: preparing for fairness hearing; review documents and EPA CSO regulations; e-mail to client and co-counsel; conf. call with clients and co-counsel to discuss followup to the status conf.	300.00	4.50	1,350.00	Billable
2/21/2004	AJS 2299 Conference Conference with client re: status	300.00	0.20	60.00	Billable
2/23/2004	AJS 2300 Preparation Preparation memo to client; e-mail to client and experts re: news article and review NRDC report, begin Preparation for the Fairness Hearing	300.00	1.50	450.00	Billable
2/25/2004	AJS 2303 Preparation Preparation for strategy conf w/ client and co-counsel; e-mail memo to client and co-counsel; long conf call re: fairness hearing; e-mail to experts and rev e-mails from P. Murphy	300.00	3.30	990.00	Billable
2/26/2004	AJS 2305 Meeting Meeting w/ client; prepare for meeting with client	300.00	1.50	450.00	Billable

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Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/2/2004	AJS	300.00	0.50	150.00	Billable
2310	Preparation Preparation of memo to client for conf call on Friday				
3/4/2004	AJS	300.00	0.50	150.00	Billable
2319	Preparation Preparation for conf call with co-counsel and clients				
3/16/2004	AJS	300.00	2.50	750.00	Billable
2328	Preparation Preparation for Fairness Hearing; review evidence to be presented				
3/17/2004	AJS	300.00	2.50	750.00	Billable
2332	Preparation Preparation - begin preparing power point for Fairness Hearing - organizing documents and slides for presentation to Judge Spiegel				
3/18/2004	AJS	300.00	5.50	1,650.00	Billable
2333	Preparation Preparation of power point for the fairness hearing; review documents -				
3/19/2004	AJS	300.00	2.50	750.00	Billable
2338	telecon t/c w/ Katie Danko re: power point, t/c w/ expert; review documents to det. exhibits and work on power point presentation to court				
3/19/2004	AJS	300.00	1.00	300.00	Billable
2339	telecon long t/c w/ Bruce Bell re: Fairness Hearing issues				
3/21/2004	AJS	300.00	3.00	900.00	Billable
2340	Review Review documents for inclusion as evidence/record at fairness hearing and continue working on power point; t/c w/ co-counsel re: Motion for Appt of Special Master				
3/22/2004	AJS	300.00	5.00	1,500.00	Billable
2341	Preparation Preparation of presentation and Administrative Record for submission to the Court; e-mail to clients and co-counsel				
3/23/2004	AJS	300.00	4.50	1,350.00	Billable
2342	Preparation Preparation of presentation for Fairness Hearing; legal research; long t/c w/ expert				

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Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
3/24/2004	AJS 2343 Preparation Preparation of presentation in Fairness Hearing; e-mail to and from clients and co-counsel	300.00	3.00	900.00	Billable
3/25/2004	AJS 2346 Preparation Preparation of materials for the Fairness Hearing; review studies on fecal coliform levels	300.00	3.50	1,050.00	Billable
3/29/2004	AJS 2349 Preparation Preparation of presentation to Court for fairness hearing; review files and preparation of the administrative record, review 3rd Dec of Bruce Bell; e-mail to co-counsel; Motion for Appt. of a Special Master - legal research	300.00	2.50	750.00	Billable
4/12/2004	AJS 2358 e-mail e-mail to client and review e-mails from client	300.00	0.20	60.00	Billable
4/13/2004	AJS 2360 Review Review new addendum to IPCD from Leslie Allen; fax to Bruce Bell; review new MSD Capacity Assessment Plan sent by Leslie Allen; meeting with paralegal;	300.00	2.50	750.00	Billable
4/14/2004	AJS 2361 Preparation Preparation for fairness hearing; review electronic filings; e-mail to client and co-counsel	300.00	1.00	300.00	Billable
4/15/2004	AJS 2365 Review Review docs for administrative record to submit with at the Fairness Hearing; e-mail outline to clients	300.00	4.10	1,230.00	Billable
4/18/2004	AJS 2367 Review Review - begin to review materials submitted by DOJ on 4/16 regarding Entry of Decree; e-mails to client and co-counsel	300.00	4.20	1,260.00	Billable
4/19/2004	AJS 2368 Review Review DOJ Brief in support of entry and other materials and affidavits;	300.00	3.00	900.00	Billable



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
4/20/2004	AJS 2369 Review Review DOJ Brief and materials; t/c w/ expert; t/c w/client; continue to prepare power point for Fairness Hearing	300.00	4.60	1,380.00	Billable
4/21/2004	AJS 2373 Review Review DOJ Brief, Klingenstein Aff and other exhibits	300.00	3.50	1,050.00	Billable
4/22/2004	AJS 2374 Preparation Preparation of reply to DOJ Memo on Entry; research and long t/c with co-counsel; e-mail to clients; review DOJ affidavits - Kligenstein, etc. begin outline of brief	300.00	7.30	2,190.00	Billable
4/23/2004	AJS 2376 Prep Pleadings Preparation of pleadings - motion in opposition to DOJ motion for entry, read DOJ brief and affidavits; prepare response; meeting with client, review videotape of SIB victim; t/c w/ co-counsel; revise power point for fairness hearing	300.00	6.70	2,010.00	Billable
4/24/2004	AJS 2380 Preparation Preparation of Memo of Law in Opp to Entry; long t/c w/ co-counsel; e-mail to co-counsel and experts; legal research on CSO Policy and Water Quality Standards	300.00	8.30	2,490.00	Billable
4/25/2004	AJS 2381 Review Review DOJ brief and materials; long t/c w/ co-counsel; e-mail to experts, draft brief in opposition to entry; legal research	300.00	5.30	1,590.00	Billable
4/26/2004	AJS 2383 Review Review Responsiveness Summary; long conf call w/co-counsel and expert; drafting Reply Brief; review responsiveness summary and Klingenstein aff, e-mail to clients; legal research	300.00	8.70	2,610.00	Billable
4/27/2004	AJS 2386 Preparation Preparation of Reply Brief to DOJ Motion for Entry; Rev. Klingenstein Aff, long t/c w/ co-counsel; long t/c with co-counsel and Dr. Bell; e-mail to clients and experts; legal research	300.00	11.40	3,420.00	Billable
4/28/2004	AJS 2387 Preparation Preparation of reply brief, long t/cs w/ co-counsel and experts; meeting w/ client; review Klingenstein violation tables; legal research LEXIS; revise and	300.00	10.70	3,210.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
	edit brief				
4/29/2004 2388	AJS Revise revise brief in opp to entry	300.00	1.30	390.00	Billable
4/30/2004 2389	AJS telecon Telephone call to co-counsel	300.00	1.00	300.00	Billable
5/1/2004 2390	AJS Legal Research Legal Research; add'l arguments for brief in opp to entry; long e-mail to client; revise and rewrite brief; long t/c w/ co-counsel	300.00	6.50	1,950.00	Billable
5/2/2004 2391	AJS Legal Research Legal Research; revision of brief in opp to entry; t/c w/ co-counsel; e-mails to co-counsel;	300.00	8.40	2,520.00	Billable
5/3/2004 2392	AJS Preparation Preparation- brief in opp to entry; legal research; Telephone w/ co-counsel; clients; Lehan; legal research	300.00	9.00	2,700.00	Billable
5/4/2004 2393	AJS telecon t/c w/ co-counsel re: Rule 53 Motion	300.00	1.00	300.00	Billable
5/5/2004 2394	AJS telecon t/c w/ co-counsel; review and edit draft of rule 53 motion and memo; prepare Errata re: Perciasepe memo; e-mail to co-counsel	300.00	1.50	450.00	Billable
5/7/2004 2397	AJS Preparation Preparation power point for May 25-26 hearing; t/c w/ clients' t/c w/ co-counsel; e-mail to client; SIB victims	300.00	3.30	990.00	Billable
5/10/2004 2398	AJS telecon t/c to Ct. Clk. re: dates; e-mail to opposing counsel; prepare for fairness hearing - prepare documents for submission to Ct (administrative record); e-mails to co-counsel and clients; review memo from co-counsel; t.c w. client	300.00	4.20	1,260.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
5/11/2004	AJS 2399 Preparation Preparation for Fairness Hearing; review 2004 1st Qtr MSD submission; meeting w/ client; prepare power point for hearing	300.00	4.50	1,350.00	Billable
5/12/2004	AJS 2400 Preparation Preparation for Fairness Hearing; power point - photos; t/c w client; e-mails to client; backup documents for Administrative Record submission	300.00	5.20	1,560.00	Billable
5/13/2004	AJS 2401 Review Review MSD reply brief and affidavits, review US reply brief and exhibits- prepare memo in response ; e-mail to clients, co-counsel and experts	300.00	6.70	2,010.00	Billable
5/14/2004	AJS 2402 Review Review MSD reply brief and exhibits; review US reply brief and exhibits, prepare response and legal research	300.00	4.10	1,230.00	Billable
5/15/2004	AJS 2403 Review Review Reply Briefs and Affidavits; prepare point counterpoint for co-counsel and client;	300.00	5.50	1,650.00	Billable
5/16/2004	AJS 2404 Preparation Preparation - review Reply Briefs and exhibits; finish point counterpoint and e-mail to co-counsel; review expert affidavit for sur-reply; US/MSD exhibits review; prepare for Fairness Hearing	300.00	4.50	1,350.00	Billable
5/17/2004	AJS 2405 Review Review and legal res. "exped. as practicable" v. possible; review US/MSD exhibits; t/c w/ co-counsel and experts; prepare sur-reply; prepare oral argument and power point	300.00	6.30	1,890.00	Billable
5/18/2004	AJS 2406 Preparation Preparation for fairness hearing; legal res.- prepare power point; work on affidavits; t/c w/ experts - Kavanaugh; e-mail to clients and co-counsel; t/c w/ client and co-counsel; review MSD quarterly reports	300.00	5.00	1,500.00	Billable
5/19/2004	AJS 2407 Preparation Preparation for fairness hearing - work on power point; t/c w/ client and co-counsel; e-mail to client and co-counsel; e-mail to Leslie Allen re: missing page; legal research - sur-reply	300.00	10.40	3,120.00	Billable

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SSO700-Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
5/20/2004	AJS 2408 Meeting Meeting w/ co-counsel and client; prepare for Fairness Hearing; prepare power point; legal research; t/c w/ expert	300.00	10.00	3,000.00	Billable
5/21/2004	AJS 2409 Meeting Meeting w/ co-counsel; prepare for Fairness Hearing; prepare power point; legal research	300.00	12.00	3,600.00	Billable
5/22/2004	AJS 2410 Preparation Preparation for fairness hearing; t/c w/ co-counsel; prepare power point; prepare exhibits for copying	300.00	3.50	1,050.00	Billable
5/23/2004	AJS 2412 Preparation Preparation for Fairness Hearing -t/c w/ co-counsel; copy and prepare exhibits; review and revise power point; legal research - Krilich case - argument; long t/c w. co-counsel; e-mails; prepare Sur-Reply	300.00	7.50	2,250.00	Billable
5/24/2004	AJS 2413 Preparation Preparation for Fairness Hearing- work on power points with Dave; research on overflows; prepare exhibits; legal research; long t/cs with co-counsel	300.00	11.20	3,360.00	Billable
5/25/2004	AJS 2414 Court Court Appearance - Fairness Hearing - travel - hearing - meeting with clients and co-counsel	300.00	12.00	3,600.00	Billable
5/26/2004	AJS 2415 Review Review Reply Brief on Special Master and comment; t/c w/ clients; memo to clients on hearing; t/c w/ Barbara Ross (SIB victim)	300.00	2.50	750.00	Billable
5/26/2004	AJS 2416 telecon t/c w/ co-counsel; email to clients	300.00	0.40	120.00	Billable
5/29/2004	AJS 2419 Legal Research Legal Research on Fee Petition	300.00	2.50	750.00	Billable
6/1/2004	AJS 2421 Research Research on fee petition; gather facts to support petition; legal research	300.00	3.50	1,050.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
6/2/2004	AJS	300.00	4.50	1,350.00	Billable
2423	Preparation Preparation - Fee Petition - prepare exhibits for record; review pleadings for admissions; legal research				
6/3/2004	AJS	300.00	5.10	1,530.00	Billable
2426	Preparation Preparation - Fee Petition research - preparing documentation on substantially prevailing areas - legal research; t/c w/ client and co-counsel and review evidence				
6/4/2004	AJS	300.00	3.50	1,050.00	Billable
2427	Preparation Preparation of fee petition; review pleadings to obtain relevant quotes regarding subst prevail issue; legal research; prepare exhibits to Fee Petition				
6/7/2004	AJS	300.00	4.20	1,260.00	Billable
2428	Preparation Preparation of Fee Petition - reviewing all pleadings for relevant quotes on substl prevail issue; legal res.				
6/8/2004	AJS	300.00	4.80	1,440.00	Billable
2429	Preparation Preparation of Fee Petition; review pleadings and select quotes and materials on subst prevail issue; legal research				
6/9/2004	AJS	300.00	3.00	900.00	Billable
2434	Legal Research Legal Research on Fee Shifting under CWA and Buckhannon				
6/10/2004	AJS	300.00	2.50	750.00	Billable
2435	Legal Research Legal Research on Fee Petition - drafting fee petition; getting exhibits together				
6/11/2004	AJS	300.00	3.60	1,080.00	Billable
2437	Legal Research Legal Research and preparation of Fee Petition and exhibits; t/c w/ client				
6/12/2004	AJS	300.00	2.50	750.00	Billable
2439	Preparation Preparation of draft Fee Petition; t/c w/ co-counsel				
6/13/2004	AJS	300.00	1.50	450.00	Billable
2440	Preparation Preparation of Fee Petition				

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SSO700: Marilyn Wall (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
6/14/2004	AJS 2442 Paralegal Preparation of Fee Petition; t/c w/ Co-counsel	300.00	2.50	750.00	Billable
6/15/2004	AJS 2444 Preparation Preparation of Fee Petition and exhibits	300.00	1.50	450.00	Billable
6/20/2004	AJS 2672 Review Review transcript of Court Hearing for Fee Petition	300.00	1.00	300.00	Billable
Total: Albert J. Slap			1957.82		\$587,346.00
TOTAL	Billable Fees		1957.82		\$587,346.00

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
<u>Timekeeper: Albert J. Slap</u>					
12/7/2001	AJS 920 \$Photocopies Copying cost; copy documents to Dr. Bell	37.31	1.000	37.31	Billable
12/7/2001	AJS 921 \$Postage Postage to Dr. Bell	6.81	1.000	6.81	Billable
12/19/2001	AJS 945 \$Misc. photo development - SSO 700- Krogers 1-hr	23.39	1.000	23.39	Billable
1/10/2002	AJS 968 \$Photocopies Federal Consent Decree Library - \$15.00 and \$67.75	82.75	1.000	82.75	Billable
2/14/2002	AJS 1041 \$Misc. Parking fees for meetings w/co-counsel	8.00	1.000	8.00	Billable
2/14/2002	AJS 1042 \$Misc. Meal w/co-counsel	10.00	1.000	10.00	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
2/25/2002 1068	AJS \$Misc. Parking - \$8; meals - \$10.00	18.00	1.000	18.00	Billable
2/28/2002 1076	AJS \$Misc. lunch w/ co-counsel; parking	18.00	1.000	18.00	Billable
2/28/2002 1077	AJS \$Misc. US Dist. Ct. - Pro Hac filing fee	50.00	1.000	50.00	Billable
3/11/2002 1106	AJS \$Misc. lunch and parking	18.00	1.000	18.00	Billable
3/20/2002 1132	AJS \$Misc. lunch with co-counsel and parking	18.00	1.000	18.00	Billable
3/25/2002 1145	AJS \$Misc. Copying - Kinko's	65.21	1.000	65.21	Billable
3/25/2002 1146	AJS \$Misc. lunch w/ co-counsel and parking	18.00	1.000	18.00	Billable
4/1/2002 1171	AJS \$Postage Postage	3.50	1.000	3.50	Billable
4/19/2002 1215	AJS \$Misc. parking	8.00	1.000	8.00	Billable
4/23/2002 1223	AJS \$Misc. parking and lunch	23.00	1.000	23.00	Billable
4/24/2002 1225	AJS \$Office Supplie Supplies - Binderteks	24.00	1.000	24.00	Billable
5/17/2002 1290	AJS \$Misc. luncheon with clients	37.50	1.000	37.50	Billable

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
5/31/2002 1313	AJS \$Misc. lunch and parking	22.41	1.000	22.41	Billable
6/4/2002 1320	AJS \$Misc. parking	8.00	1.000	8.00	Billable
6/27/2002 1336	AJS \$Misc. parking and lunch	18.00	1.000	18.00	Billable
8/22/2002 1423	AJS \$Photocopies Copying cost and mailing (\$55.12 + \$12.10 = \$67.22)	67.22	1.000	67.22	Billable
8/27/2002 1433	AJS \$Misc. Parking and lunch	18.00	1.000	18.00	Billable
8/28/2002 1435	AJS \$Misc. Parking	8.00	1.000	8.00	Billable
10/4/2002 1499	AJS \$Misc. parking	8.00	1.000	8.00	Billable
10/9/2002 1508	AJS \$Misc. parking and lunch	18.00	1.000	18.00	Billable
10/16/2002 1523	AJS \$Misc. parking and lunch	23.00	1.000	23.00	Billable
10/18/2002 1529	AJS \$Postage Postage - Federal Express	31.78	1.000	31.78	Billable
12/4/2002 1592	AJS \$Misc. parking and lunches - 12/2-4	50.00	1.000	50.00	Billable
12/13/2002 1604	AJS \$Photocopies Copying cost	28.60	1.000	28.60	Billable



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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
12/13/2002	AJS	14.80	1.000	14.80	Billable
1607	\$Postage Postage				
1/3/2003	AJS	67.63	1.000	67.63	Billable
1624	\$Photocopies Copying cost - reports copied to B.Bell and M. Kavanaugh				
1/3/2003	AJS	16.40	1.000	16.40	Billable
1625	\$Postage Postage				
1/9/2003	AJS	43.81	1.000	43.81	Billable
1635	\$Photocopies Copying cost - Defs expert reports				
1/9/2003	AJS	7.70	1.000	7.70	Billable
1636	\$Postage Postage				
1/10/2003	AJS	93.00	1.000	93.00	Billable
1638	\$Travel Trip to Columbus and back; meals (2pp x2)				
1/15/2003	AJS	102.44	1.000	102.44	Billable
1644	\$Photocopies Copying cost for depositions				
1/16/2003	AJS	15.00	1.000	15.00	Billable
1646	\$Misc. parking and lunch				
1/30/2003	AJS	52.10	1.000	52.10	Billable
1652	\$Photocopies Copying cost - for Karney depo				
2/5/2003	AJS	56.30	1.000	56.30	Billable
1658	\$Misc. lunch for Dave, Al and Bruce and parking				
2/6/2003	AJS	49.50	1.000	49.50	Billable
1659	\$Misc. lunch for Dave, Mike, and Al and parking				
3/26/2003	AJS	20.13	1.000	20.13	Billable
1732	\$Photocopies Copying cost - SWM Report x 5				

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SSO700:Marilyn Wall (continued)

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
3/26/2003	AJS 1733 \$Postage Postage - mailing SWM Reports;	5.83	1.000	5.83	Billable
4/8/2003	AJS 1755 \$Misc. Copying and postage; Kavanaugh Appendix	15.58	1.000	15.58	Billable
9/8/2003	AJS 2121 \$Photocopies Copying cost - client meeting	22.53	1.000	22.53	Billable
2/18/2004	AJS 2295 \$Photocopies Copying cost - MSD Accounting and Exhibits	141.00	1.000	141.00	Billable
2/18/2004	AJS 2296 \$Postage Postage - send MSD accounting to expert	6.30	1.000	6.30	Billable
4/20/2004	AJS 2371 \$Photocopies Copying cost - DOJ Entry documents	23.37	1.000	23.37	Billable
5/23/2004	AJS 2411 \$Photocopies Copying cost - Kinkos - copying for the Fairness Hearing - Exhibits	125.58	1.000	125.58	Billable
6/20/2004	AJS 2670 \$Photocopies Copying cost Kinko's	44.17	1.000	44.17	Billable
6/20/2004	AJS 2671 \$Postage Postage	7.70	1.000	7.70	Billable
6/21/2004	AJS 2674 \$Postage Postage: \$9.50; \$5.75	15.25	1.000	15.25	Billable
Total: Albert J. Slap					\$1,716.60
TOTAL Billable Costs					\$1,716.60

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SSO700:Marilyn Wall (continued)

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Calculation of Fees and Costs

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	Amount	Total
Fees Bill Arrangement: Slips By billing value on each slip.		
Total of billable time slips	\$587,346.00	
Total of Fees (Time Charges)		\$587,346.00
Costs Bill Arrangement: Slips By billing value on each slip.		
Total of billable expense slips	\$1,716.60	
Total of Costs (Expense Charges)		\$1,716.60
Total new charges		\$589,062.60
New Balance Current	\$589,062.60	
Total New Balance		\$589,062.60